SAN FRANCISCO PUBLIC LIBRARY
3 1223 11169 2571

5 / S

*San Francisco Public Library*

Government Information Center
San Francisco Public Library
100 Larkin Street 5th Floor
San Francisco, CA 94102

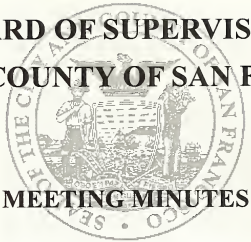
REFERENCE BOOK
*Not to be taken from the Library*

Digitized by the Internet Archive
in 2015

https://archive.org/details/meetingminutesb2014sanf_1

3 1223 11169 2571

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO



# MEETING MINUTES

**Tuesday, January 7, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

GOVERNMENT
DOCUMENTS DEPT

APR - 8 2015

SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee** | Wednesday |
| Supervisors Farrell, Mar, Avalos | 1:00 PM |
| **City and School District Select Committee** | 4th Thursday |
| Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns | 3:30 PM |
| **Government Audit and Oversight Committee** | 2nd and 4th Thursday |
| Supervisors Cohen, Tang, Campos | 10:30 AM |
| **Land Use and Economic Development Committee** | Monday |
| Supervisors Wiener, Kim, Chiu | 1:30 PM |
| **Neighborhood Services and Safety Committee** | 1st and 3rd Thursday |
| Supervisors Campos, Mar, Yee | 10:00 AM |
| **Rules Committee** | 1st and 3rd Thursday |
| Supervisors Yee, Breed, Cohen | 2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:08 p.m. On the call of the roll, all Supervisors were noted present.*

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board Members that she had received a communication from the Director of Elections, certifying the candidates for the Office of Members of the Board of Supervisors who received a plurality of votes cast at the election held on November 5, 2013, who, therefore, have been declared elected to that office, namely:*

*Katy Tang, Supervisor (District 4)*

*Additionally, Ms. Calvillo informed the Board Members that she had received a communication from the Controller, confirming that certificiation of surety bond requirements were established for all newly elected and continuing Supervisors pursuant to San Francisco Administrative Code Article IX, Section 16.122(a)(e).*

## SPECIAL ORDER 2:00 P.M. - OATH OF OFFICE

*President David Chiu introduced Cynthia Ming-mei Lee, Presiding Judge, Superior Court of California, County of San Francisco, whereupon Judge Lee administered the oath of office to Katy Tang, Supervisor (District 4).*

*President acknowledged the presence of the following elected officials, representatives of elected officials, and various City Department heads listed in the order announced:*

*Mayor Edwin M. Lee*
*Assessor Carmen Chu*
*Former Member of the Board of Supervisors and Assemblymember Fiona Ma*
*Public Works Director Mohammed Nuru*
*Port Director Monique Moyer*
*Department of Building Inspection Tom Hui*
*Office of the Mayor's Chief of Staff Steve Kawa*
*Controller Ben Rosenfield*
*Budget and Legislative Analyst Harvey Rose*
*District Attorney George Gascon*
*Police Chief Greg Suhr*
*Fire Chief Joanne Hayes-White*
*and other City Department heads.*

*President David Chiu introduced the Honorable Mayor Edwin M. Lee who congratulated newly elected Katy Tang (District 4), Board of Supervisor.*

*Supervisor Tang was called and afforded an opportunity for brief remarks and for introduction of family members or guests in attendance.*

*The Board recessed at 2:26 p.m. and reconvened at 2:45 p.m.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

**Supervisor Campos, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of November 19, 2013, and November 26, 2013. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

131140 **[Appropriation - Recreation and Park Department's Capital Improvements - FY2013-2014 - $9,191,670]**

**Sponsor: Mayor**

Ordinance appropriating $9,191,670 including de-appropriating $2,338,558 of 2000 Recreation and Park Facilities Improvement Bond capital projects; appropriating $36,401 of 2000 Recreation and Park Facilities Improvement Bond proceeds; de-appropriating $3,000,000 of 2008 Clean and Safe Neighborhood Parks Bond Capital projects; and appropriating $3,816,711 of 2008 Clean and Safe Neighborhood Parks Bond Proceeds Interest Earnings to Recreation and Park and Neighborhood Park Contingency Funds to fund capital projects within 2000 Recreation and Park Facilities Improvement Bond and 2008 Clean and Safe Neighborhood Parks Bond approved projects and program parameters.
(Fiscal Impact)

**Ordinance No.** 002-14

**FINALLY PASSED**

### Recommendations of the Land Use and Economic Development Committee

131061 **[Administrative Code - Hearings on Tenant Allegations of Landlord Harassment to Recover Possession of the Tenant's Unit]**

**Sponsors: Campos; Avalos, Mar, Chiu, Cohen, Kim and Farrell**

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," by providing for hearings at the Rent Board on tenant allegations of landlord harassment constituting a wrongful endeavor to recover possession of the tenant's unit.

**Ordinance No.** 001-14

**FINALLY PASSED**

131191 **[Administrative Code - Clarifying Employer Definition for Family Friendly Workplace]**

**Sponsor: Chiu**

Ordinance amending the Administrative Code to clarify the group of employers required to comply with the Family Friendly Workplace Ordinance.

**Ordinance No.** 003-14

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

*There were no items.*

## NEW BUSINESS

**Recommendation of the Budget and Finance Committee**

**131152** **[Multifamily Housing Revenue Note - Bayview Senior Housing - 1751 Carroll Avenue - $28,500,000]**

**Sponsor: Cohen**

Resolution authorizing the execution, sale, and delivery of a housing revenue note in an aggregate principal amount not to exceed $28,500,000 for the purpose of providing financing for the construction of a 121-unit affordable multifamily senior residential rental housing project, known as Bayview Senior Housing; approving the form and authorizing the execution of a funding loan agreement and a borrower loan agreement; providing the terms and conditions of the note and authorizing the execution and delivery thereof; approving the form and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; authorizing the collection of certain fees; approving modifications, changes, and additions to the documents; granting general authority to City officials to take actions necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the note and the Project, as defined herein.

**Resolution No.** 001-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

*There were none.*

## COMMITTEE REPORT

**131085** **[Planning Code - Fulton Street Grocery Store Special Use District]**

**Sponsor: Breed**

Ordinance amending the Planning Code, Section 249.35A, to extend the effective date for the Fulton Street Grocery Store Special Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*This item was not sent as a Committee Report.*

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns relating to public comment and commended everyone on the new year.*
*Emil Lawrence; expressed concerns relating to ride share programs and expressed support for taxi cabs.*
*Male Speaker; expressed concerns relating to ride share programs and expressed support for taxi cabs.*
*Barry Honcho; expressed concerns relating to pedestrian fatalities, ride share programs, and expressed support for taxi cabs.*
*Vera McQuire; expressed concerns relating to ride share programs and expressed support for taxi cabs.*
*Male Speaker; expressed various religious concerns.*
*Mark Bluberg; expressed concerns relating to pedestrian fatalities, ride share programs, and expressed support for taxi cabs.*
*Female Speaker; expressed concerns relating to pedestrian fatalities.*
*David Elliott Lewis; expressed concerns relating to pedestrian fatalities and Recology recklessness.*
*Walter Paulson; shared in song certain concerns with the Board including birthday wishes.*
*Charles Grabcar; expressed concerns relating to pedestrian fatalities.*
*Dale Leuth; expressed support for proposed legislation relating to health care and drug pricing.*
*Orlando Chavez; expressed support for drug pricing and treatment courses.*
*Jessie Brooks; expressed support for proposed legislation relating to health care and drug pricing.*
*Kermit Kubitz; expressed concerns relating to emergency drinking water and support for taxi cabs.*
*Christopher Howell; expressed concerns relating to food stamps and hunger.*
*Beverly Upton (Domestic Violence Coalition); spoke in support for Ellis Act legislation.*
*Female Speaker; spoke in support for Ellis Act legislation.*
*Jacqui Naylor; spoke in support for Ellis Act legislation.*
*James; expressed concerns relating to local hiring.*
*Melinda Gill; expressed concerns relating to pedestrian fatalities.*
*Jackie Bryson; expressed concerns relating to development in the Tenderloin.*
*Otto Duffy (Neighborhood by Neighborhood); expressed concerns relating to long term problems within the City and pedestrian fatalities.*
*Male Speaker; expressed concerns relating to improper plumbing and ventilation and support for services for the homeless population.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

131220 **[Bay Area Water Centennial Day - December 19, 2013]**
**Sponsor: Chiu**
Resolution retroactively declaring December 19, 2013, Bay Area Water Centennial Day in the City and County of San Francisco.

**Resolution No.** 002-14
**ADOPTED**

**131221** **[National Slavery and Human Trafficking Prevention Month and Human Trafficking Awareness Day]**

**Sponsors: Tang; Kim, Farrell, Yee, Chiu and Mar**

Resolution recognizing National Slavery and Human Trafficking Prevention Month and National Human Trafficking Awareness Day and supporting the campaign to bring awareness to the issue of human trafficking.

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No.** 003-14

**ADOPTED**

**131233** **[Final Map 7315 - 1540-1544 Grant Avenue and 15-17 Bob Kaufman Alley]**

Motion approving Final Map 7315, a four Residential Unit and one Commercial Unit, Mixed-Use Condominium Project, located at 1540-1544 Grant Avenue and 15-17 Bob Kaufman Alley being a subdivision of Assessor's Block No. 0104, Lot No. 031, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-001

**APPROVED**

**131239** **[Final Map 7433 - 1875 Mission Street]**

Motion approving Final Map 7433, a 39 Residential Unit and one Commercial Unit, Mixed-Use Condominium Project, located at 1875 Mission Street being a subdivision of Assessor's Block No. 3548, Lot No. 032, and adopting findings pursuant to the General Plan and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-002

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Severed from the For Adoption Without Committee Reference Agenda

*Supervisor Chiu requested that File No. 131219 be severed so that it may be considered separately.*

**131219** **[Supporting Amendments to State Law to Return Local Control Over the Ellis Act]**

**Sponsors: Mayor; Chiu, Campos, Cohen, Breed and Mar**

Resolution supporting amendments to State Law to return local control over the Ellis Act to prevent the speculation and abuse of no-fault evictions.

*Supervisors Breed and Mar requested to be added as co-sponsors.*

**Resolution No.** 004-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

### Ordinances

140008 **[Appropriating $4,515,000 from the General Fund Reserve for Nonprofit Rent Stabilization Program - Mayor's Office of Housing - FY2013-2014]**
**Sponsors: Chiu; Kim and Avalos**
Ordinance appropriating $2,515,000 to the Mayor's Office of Housing for FY2013-2014, establishing the Nonprofit Rent Stabilization Program.
(Fiscal Impact)
01/07/14; ASSIGNED to Budget and Finance Committee.

140009 **[Housing Code - Allowing the Storage of Items Other Than Automobiles in Private Garages of Residential Buildings]**
**Sponsor: Farrell**
Ordinance amending the Housing Code to allow the storage of tenants' personal items other than automobiles in the garages of homes, apartment buildings, and residential hotels; and making environmental findings.
01/07/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/6/2014.

### Resolutions

140010 **[Accept and Expend Grant - Building Resilience Against Climate Effects: Empowering San Francisco Communities to Address Climate Change - $173,515]**
**Sponsor: Mayor**
Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $173,515 from Centers for Disease Control and Prevention to participate in a program entitled Building Resilience Against Climate Effects: Empowering San Francisco Communities to Address Climate Change, for the period of September 1, 2013, through August 31, 2014
01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140011** **[Accept and Expend Grant - McLaren Bike Park Project, Phase 1 - $249,835]**
**Sponsor: Avalos**
Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of $249,835 from the California Department of Parks and Recreation's Land and Water Conservation Fund to support the development of Phase 1 of the McLaren Bike Park Project for the period of October 1, 2013, through June 30, 2016.
(Fiscal Impact)

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140012** **[Reducing Pharmaceutical Prices]**
**Sponsors: Chiu; Wiener and Campos**
Resolution supporting City, State, and Federal efforts to reduce pharmaceutical prices and increase transparency of the pharmaceutical rate-setting process.

01/07/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140013** **[Accept and Expend Grant - Byrne Criminal Justice Innovation Program - Up to $997,217]**
**Sponsor: Cohen**
Resolution retroactively authorizing the Office of the District Attorney to accept and expend up to $997,217 awarded by the Office of Justice Programs for a project entitled the "Safer Together Consortium," for the period of October 1, 2013, through September 30, 2016.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140014** **[Apply for, Accept, and Expend Grant - Green Connections: Oakdale Avenue - Not to Exceed $975,659]**
**Sponsor: Cohen**
Resolution approving application for grant funds for the Urban Greening Grant Program entitled "Green Connections: Oakdale Avenue," under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006, in an amount not to exceed $975,659 for the period of July 1, 2014, through June 30, 2016.
(Fiscal Impact)

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140015** **[Electric Service Agreement - Public Utilities Commission - Transbay Project]**
**Sponsor: Kim**
Resolution authorizing the Public Utilities Commission's General Manager to enter into an Electric Service Agreement with the Transbay Joint Powers Authority for the Public Utilities Commission to be the primary provider of electric service to the Transbay Project beginning January 2014 and ending January 2017; and making findings pursuant to the California Environmental Quality Act.

01/07/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140016 **[Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Rezoning 133-135 Golden Gate Avenue from RC-4 to C-3-G (File No. 130999)]**

**Sponsor: Kim**

Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130999) amending the Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

01/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140017 **[Approval of a 30-Day Extension for Planning Commission Review of Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control (File No. 131063)]**

**Sponsor: Wiener**

Resolution extending by 30-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 131063) amending the Planning Code to allow the construction of an additional dwelling unit or units within the existing envelope of a residential building or auxiliary structure on the same lot ("In-Law Units") on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154, and authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units; amending the Administrative Code to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development in accordance with State law.

01/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Motions

140003 **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

01/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140023 **[Committee of the Whole - Implementing Assembly Bill 85 - Department of Public Health - Intent to Adopt the Savings Formula Option - FY2013-2014]**

**Sponsor: Chiu**

Motion scheduling the Board to sit as a Committee of the Whole on January 14, 2014, at 3:00 p.m., to hold a public hearing of persons interested in or objecting to the Resolution (File No. 131234) authorizing the Department of Public Health to implement Assembly Bill 85 via the Savings Formula Option to redirect a portion of current Health realignment funds to social service programs; and determine payments from the Health Subaccount to the Family Support Subaccount.

01/07/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

**140018** **[Hearing - Mayor's Budget Instructions - FY2014-2015 and FY2015-2016]**
**Sponsor: Farrell**
Hearing on the Mayor's FY2014-2015 and FY2015-2016 Budget Instructions to Department Heads and General Fund Deficit Projections and other related FY2014-2015 and FY2015-2016 budget updates.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140019** **[Hearing - Unified School District's Surplus Property Portfolio and Strategy]**
**Sponsor: Kim**
Hearing at the City and School District Joint Committee with a presentation from Unified School District staff on the school district existing surplus property portfolio and strategy for potential usages.

01/07/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

**140020** **[Hearing - Regulatory Status of Private Transportation Networks]**
**Sponsor: Mar**
Hearing on the regulatory status of ridesharing companies and their role in meeting the City's transportation goals.

01/07/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140021** **[Hearing - Code Enforcement Policies and Procedures]**
**Sponsors: Wiener; Cohen**
Hearing directed to the Housing and Building divisions of the Department of Building Inspection, the Planning Department, the Department of Public Health, and the Fire Department to report on inspection and enforcement of city code violations in San Francisco's buildings, including internal departmental procedures for inspections, pursuit, and referral of violations; examples of problematic cases; requirements for referral of cases to the City Attorney's Office or departmental committees; description of types of cases, including examples, being referred to the City Attorney's Office or departmental committees; number and percentage of cases not being referred for enforcement and whether lack of referral for enforcement results from the merits of the case or other factors such as budget concerns; yearly statistics, including the number of cases received, the number of referrals made, the number of cases closed; and record-keeping practices, including ability of the public to track process of violations; whether legislation is needed to ensure better coordination on code enforcement and more consistent enforcement, and referrals by the various departments.

01/07/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140024** **[Hearing - Implementing Assembly Bill 85 - Department of Public Health - Intent to Adopt the Savings Formula Option - FY2013-2014]**
Hearing of persons interested in or objecting to the Resolution (File No. 131234) authorizing the Department of Public Health to implement Assembly Bill 85 via the Savings Formula Option to redirect a portion of current Health realignment funds to social service programs; and determine payments from the Health Subaccount to the Family Support Subaccount. (Clerk of the Board)

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

## PROPOSED RESOLUTIONS

131229 **[Contract - Sheriff's Department - Secure Reentry Program Facility - $4,195,576]**
Resolution authorizing the Sheriff's Department to enter into a contract with the California Department of Corrections and Rehabilitation (CDCR) to contract for accept and expend up to $4,195,576 to establish the Secure Reentry Program Facility (SRPF); the Sheriff's Department will provide housing appropriate for program delivery; the Adult Probation Department will provide intensive, in-custody evidence-based reentry programming, which will address offenders' underlying criminogenic needs; the Sheriff's Department and Adult Probation Department shall jointly report to the State Legislature and the CDCR on the implementation of this SRPF after a period of one, two, and three years as part of this pilot program, to commence upon Board approval for a three-year term. (Sheriff)
(Fiscal Impact)

12/10/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131230 **[Real Property Lease - Port - Affordable Self Storage, Inc. - $24,664.86 Monthly]**
Resolution approving Port Commission Lease No. L-15690 with Affordable Self Storage, Inc. for paved vacant land located within Seawall Lot No. 349 in the Southern Waterfront with an initial monthly rent of $24,664.86 for a 58-month term and possible extension terms of up to 60 months, to commence following Board approval. (Port)

12/10/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131231 **[Real Property Lease - Port - Affordable Self Storage, Inc. - $47,789.14 Monthly]**
Resolution approving Port Commission Lease No. L-15691 with Affordable Self Storage, Inc. for paved vacant land located within Seawall Lot No. 349 in the Southern Waterfront with an initial monthly rent of $47,789.14 for a 31-month term, to commence following Board approval. (Port)

12/10/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**131232** **[Street Encroachment - Operator Convenience Facilities - Terminus of Various Muni Bus Routes]**

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. ( Public Works Department)

12/16/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**131234** **[Implementing Assembly Bill 85 - Department of Public Health - Intent to Adopt the Savings Formula Option - FY2013-2014]**

Resolution authorizing the Department of Public Health to implement Assembly Bill 85 via the Savings Formula Option to redirect a portion of current Health realignment funds to social service programs; and determine payments from the Health Subaccount to the Family Support Subaccount. (Public Health Department)

12/19/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**131235** **[Apply for Grant - Continuum of Care Program - Not to Exceed $24,000,000]**

Resolution approving the 2013 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed $24,000,000; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Agency)

12/20/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**131236** **[Agreement - HDR Engineering, Inc. - Construction Management Services - $27,500,000]**

Resolution extending an agreement for an additional six months between the Public Utilities Commission and HDR Engineering, Inc., through December 29, 2014, and increasing the estimated cumulative contract amount to $27,500,000 for additional construction management services, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)
(Fiscal Impact)

12/23/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**131237** **[Settlement of Claim - Rajnikant T. Desai and Helen A. Desai - $72,156.71]**

Resolution approving the settlement of the unlitigated claim filed by Rajnikant T. Desai and Helen A. Desai against the City and County of San Francisco for $72,156.71; claim was filed on November 13, 2012. (City Attorney)

12/23/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Rules Committee.

131238 **[Approval of Donations - Airport Capital Improvement Promotion and Event Fund - $400,000]**

Resolution approving donations of $100,000 or greater, totaling $400,000, to the Airport Capital Improvement Promotion and Event Fund from The Boeing Company, Hensel Phelps Construction Co., and United Airlines, Inc., pursuant to Administrative Code, Section 10.100-18. (Airport Commission)

12/24/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

131240 **[Contract Agreement - Department of Public Health and Health Advocates, LLC - Not to Exceed $6,270,000]**

Resolution retroactively approving a contract between the Department of Public Health and Health Advocates, LLC, to provide uncompensated care reimbursement recovery services for the period of January 1, 2014, through December 31, 2017, for an amount not to exceed $6,270,000. (Public Health Department)
(Fiscal Impact)

12/27/13; RECEIVED FROM DEPARTMENT.

01/07/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests Granted

*From: Supervisor Yee*
*To: Director, Department of Public Health*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, 311*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, City Attorney*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Department of Public Works*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Planning Department*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Entertainment Commission*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Police Department*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Department of Parks and Recreation*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Fire Department*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

*From: Supervisor Yee*
*To: Director, Municipal Transportation Authority*
*Requesting/Inquiring: Requesting various City agencies to convene a working group to assess the need for revisions to the existing noise ordinance and to include the following three goals: 1) Assess successes and obstacles to interagency implementation issues with noise laws in the city. 2) Assess the need for revisions to the existing noise ordinance and, if appropriate, recommend a framework and strategy to develop revisions that include an opportunity for community and stakeholder input. 3) Initiate and draft uniform guidance and agreements on inter-departmental cooperation to guide interpretation and improve consistency in implementation of the existing law.*

**In Memoriams**

*Bishop Otis Charles - Supervisor Wiener*
*Paul Williams - Supervisor Wiener*
*Michael Gutierrez - Full Board*
*Donald Claw Yazzie - Full Board*
*Sofia Liu - Full Board*
*Zhen Guang Ng - Full Board*
*Isabel Huie - Full Board*

## ADJOURNMENT

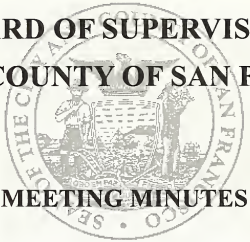
*There being no further business, the Board adjourned at the hour of 4:31 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on February 25, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO



# MEETING MINUTES

**Tuesday, January 14, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

GOVERNMENT DOCUMENTS DEPT
APR – 8 2015
SAN FRANCISCO PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee** | Wednesday |
| Supervisors Farrell, Mar, Avalos | 1:00 PM |
| **City and School District Select Committee** | 4th Thursday |
| Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Wynns | 3:30 PM |
| **Government Audit and Oversight Committee** | 2nd and 4th Thursday |
| Supervisors Breed, Tang, Chiu | 10:30 AM |
| **Land Use and Economic Development Committee** | Monday |
| Supervisors Wiener, Kim, Cohen | 1:30 PM |
| **Neighborhood Services and Safety Committee** | 1st and 3rd Thursday |
| Supervisors Campos, Mar, Yee | 10:00 AM |
| **Rules Committee** | 1st and 3rd Thursday |
| Supervisors Yee, Tang, Campos | 2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll, Supervisors Kim and Mar were noted absent. There was a quorum.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

**Supervisor Breed, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of December 10, 2013. The motion carried by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Absent: 2 - Kim, Mar

## COMMUNICATIONS

*There were none.*

*Supervisor Kim was noted present at 2:06 p.m.*
*Supervisor Mar was noted present at 2:07 p.m.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

**140022** **[Formal Policy Discussions - January 14, 2014]**

Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 1, 5, and 9. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mayor Lee, we are in the midst of a housing affordability and evictions crisis not seen since the venture-capital tech surge and real estate speculation frenzy of the late 1990s "dot com boom." Your response in the last two months certainly deserves credit - - first, in supporting the preference legislation for Ellis evictees from private-owned rental housing to get into City-subsidized affordable units, and second, your Executive Directive prioritizing approvals for affordable housing projects in recognition that the real estate market is leaving out more and more low and moderate income San Franciscans. I look forward to the day that the Richmond District will break ground on new affordable housing projects to meet the housing needs of my District's growing low-income senior population.

However, these policy priorities are incumbent upon increasing the actual production of affordable housing units, which is entirely dependent on funding to do so. Moreover, the current tech induced affordable housing crisis and your administration's recent response are occurring in the midst of your simultaneous initiative to absorb the housing authority and rehabilitating and re-servicing 3,000 existing units of public housing, thus in combination committing your administration to the largest affordable housing program in recent City history and effecting a vast range of San Franciscans from residents with little or no income to low income to middle income households. This creates a serious challenge for us all to ensure the resources are sufficient to both expand and advance the citywide production of affordable housing to confront the growing crisis and renovate and enhance the City's public housing. Such an ambitious program far exceeds funds available from the Proposition C Housing Trust Fund.

Mr. Mayor, what additional funding can we expect in your budget proposal to address these significant needs for increasing as well as accelerating the City's production of affordable housing? (Supervisor Mar, District 1)

2. Mr. Mayor, according to the California Department of Education's most recent data, the high school graduation rate for African Americans in San Francisco is 12% lower than SFUSD's overall graduation rate. And African American males drop out at a far higher rate than any other group.

Although the homicide rate has declined from a high of 97 in 2008 to 48 in 2013, according to SPFD data, African American males continue to fall victim to violent crimes at an enormously disproportionate rate.

According to Sheriff's Department data and the Controller's October 2013 report, 56 percent of San Francisco inmates are African American while only six percent of adult San Franciscans are African American. African Americans aged 18 to 25 make up the single largest demographic group in jail, accounting for a whopping 16 percent of the total inmate population.

All the while, the African American population in San Francisco continues to plummet, decreasing by another 18 percent (59,461 to 48,870) from 2000 to 2010. And though San Francisco's overall population is expected to grow considerably, the California Department of Finance projects our African American population to decline yet further to 34,101 by 2050.

We are experiencing a crisis in the African American community in San Francisco, particularly among African American males. As we prepare to celebrate the Martin Luther King holiday this weekend, what can we as a city do to focus on this population and help them thrive? (Supervisor Breed, District 5)

3. For every Ellis Act eviction that takes place in San Francisco, we know that many other tenants have been displaced from their homes after accepting a monetary offer, often called "buy-outs" from their landlord. There are currently no municipal regulations of these buy-outs that lead to the significant reduction of rent controlled units in our City. Will you commit to working with me on legislation addressing buy-outs? (Supervisor Campos, District 9)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

*There were no items.*

## REGULAR AGENDA

## UNFINISHED BUSINESS

*There were no items.*

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

131141 **[Public Employment - Amendment to the Annual Salary Ordinance - Recreation and Park Department - FYs 2013-2014 and 2014-2015]**

**Sponsor: Mayor**

Ordinance amending Ordinance No. 160-13 (Annual Salary Ordinance - FYs 2013-2014 and 2014-2015) to reflect the addition of two Class 5502 Project Manager I positions (0.5 FTE) in the Recreation and Park Department for the implementation of the Recreation and Park Department's capital improvements.
(Fiscal Impact)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131130 **[California Constitution Appropriations Limit - FY2013-2014]**

**Sponsor: Farrell**

Resolution establishing the appropriations limit for FY2013-2014 pursuant to California Constitution, Article XIII B.

**Resolution No.** 007-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131172** **[Interconnection Agreement - Pacific Gas and Electric Company - Solar Power Project - 201 Van Ness Avenue]**

Resolution authorizing the Public Utilities Commission's General Manager to enter into a long term interconnection agreement with Pacific Gas and Electric Company, to commence following Board approval, for a Solar Power Project at Davies Symphony Hall, 201 Van Ness Avenue, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

**Resolution No.** 008-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131182** **[Emergency Contract - Clean Harbors Environmental Services, Inc. - Not to Exceed $1,000,000]**

Resolution retroactively approving emergency contract with Clean Harbors Environmental Services, Inc., for environmental clean-up of soil and water and regrading of the runway safety area after the crash landing of Asiana Airlines Flight 214 in an amount not to exceed $1,000,000 for services already performed, for the period of July 11, 2013, to September 19, 2013. (Airport Commission) (Fiscal Impact)

**Resolution No.** 009-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131183** **[Emergency Contract - Fixed Gas Monitoring System - Southeast Water Pollution Control Plant - Not to Exceed $225,000]**

Resolution retroactively approving an emergency procurement contract of the Public Utilities Commission under Administrative Code, Section 21.15, to obtain materials needed to repair the Fixed Gas Monitoring System at the Southeast Water Pollution Control Plant with a contract amount not to exceed $225,000 for the period of November 18, 2013, to May 18, 2014. (Public Utilities Commission)

**Resolution No.** 010-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131210** **[Accept and Expend Grant - Urban Areas Security Initiative Grant Increase: Budget Revision - FY2013 - $687,988]**

**Sponsor: Mayor**

Resolution retroactively authorizing the Department of Emergency Management, on behalf of the City and County San Francisco, as the fiscal agent for the Bay Area Urban Areas Security Initiative (UASI), to accept and expend an increase to FY2013 UASI grant funds in the amount of $687,988 for a total of $22,619,300 from the U.S. Department of Homeland Security through the California Office of Emergency Services, for the period of September 1, 2013, through May 31, 2015.

**Resolution No.** 011-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Land Use and Economic Development Committee

130864 **[Planning Code - Transfer of Child Care Facility Oversight to Office of Early Care and Education]**

**Sponsor: Yee**

Ordinance amending the Planning Code to transfer proposed child care facility oversight from the Department of Children, Youth and Their Families to the Office of Early Care and Education; and making environmental findings.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131143 **[Changes to the Special Tax District No. 2009-1 - San Francisco Sustainable Financing]**

**Sponsors: Mayor; Chiu, Tang and Wiener**

Resolution authorizing the City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) to levy special taxes and incur debt to finance work deemed necessary to bring buildings or real property, including privately owned buildings or real property, into compliance with seismic safety standards or regulations.

**Resolution No.** 012-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

## Privilege of the Floor

**Supervisor Yee, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Marc Christensen of the Merced Extension Triangle Neighborhood Association (METNA) in recognition of his tireless work, accomplishments, and continued community support.*

*Supervisor Cohen introduced, welcomed, and presented a Certificate of Honor to Kathy Bella, on behalf of the Big Brothers and Big Sisters of the Bay Area, in recognition of their accomplishments and continued community support.*

## SPECIAL ORDER 3:00 P.M.

**131225** **[Public Hearing - Appeal of Final Environmental Impact Report - 1111 California Street - The Masonic Center Renovation Project]**

Hearing of persons interested in or objecting to the Planning Commission's decision, dated November 14, 2013, certification of a Final Environmental Impact Report identified as Planning Case No. 2011.0471E, through its Motion No. 19019, for the proposed Masonic Center renovation project at 1111 California Street, Assessor's Block No. 0253, Lot No. 020. (District 3) (Appellants: Jay Wallace on behalf of the Coalition for San Francisco Neighborhoods, Nob Hill Neighbors and Berit Muh) (Filed December 13, 2013). (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board. Jay Wallace (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Bob Passmore; Walter Paulson; Ray Hartz (San Francisco Open Government); Berit Ma; Hiroshi Fukuda (San Francisco Land Use and Housing Committee); Linda Chapman (Nob Hill Neighbors); spoke in support of the appeal. Brett Bollinger (Planning Department) provided an overview of the decision of the Planning Department. Steve Vettel (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. David Elliott Lewis; Greg Gallios; Mary Wrengogi; Female Speaker; Stanley Meyers; spoke in support of the project and in opposition to the appeal. Jay Wallace (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AND FILED**

**131226** **[Affirming Final Environmental Impact Report Certification - 1111 California Street - The Masonic Center Renovation Project]**

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for The Masonic Center Renovation Project at 1111 California Street. (Clerk of the Board)

**Motion No.** M14-003

**Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131227** **[Reversing Final Environmental Impact Report Certification - 1111 California Street - The Masonic Center Renovation Project]**

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for The Masonic Center Renovation Project at 1111 California Street. (Clerk of the Board)

**Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131228 **[Preparation of Findings to Reverse Final Environmental Impact Report Certification - 1111 California Project - The Masonic Center Renovation Project]**

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for The Masonic Center Renovation Project at 1111 California Street. (Clerk of the Board)

**Supervisor Chiu, seconded by Supervisor Farrell, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 3:00 P.M.

## Board of Supervisors Sitting as a Committee of the Whole

140024 **[Hearing - Implementing Assembly Bill 85 - Department of Public Health - Intent to Adopt the Savings Formula Option - FY2013-2014]**

Hearing of persons interested in or objecting to the Resolution (File No. 131234) authorizing the Department of Public Health to implement Assembly Bill 85 via the Savings Formula Option to redirect a portion of current Health realignment funds to social service programs; and determine payments from the Health Subaccount to the Family Support Subaccount. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to implementing Assembly Bill 85 as referenced in File No. 131234. Greg Wagner (Department of Public Health) provided an overview of the proposed legislation and implementation and responded to questions raised throughout the discussion. There were no other speakers. The President declared the public hearing closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

131234 **[Implementing Assembly Bill 85 - Department of Public Health - Intent to Adopt the Savings Formula Option - FY2013-2014]**

Resolution authorizing the Department of Public Health to implement Assembly Bill 85 via the Savings Formula Option to redirect a portion of current Health realignment funds to social service programs; and determine payments from the Health Subaccount to the Family Support Subaccount. (Public Health Department)

**Resolution No.** 006-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## COMMITTEE REPORTS

### Recommendations of the Land Use and Economic Development Committee

**131085** **[Planning Code - Fulton Street Grocery Store Special Use District]**

**Sponsor: Breed**

Ordinance amending Planning Code, Section 249.35A, to extend the effective date for the Fulton Street Grocery Store Special Use District; provide controls for business signs; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131214** **[Multifamily Housing Revenue Bonds - 227-228 West Point Road - Not to Exceed $45,000,000]**

**Sponsor: Cohen**

Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $45,000,000 for 227-228 West Point Road (Assessor's Parcel No. 4624, Lot Nos. 29 and 31); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City in an aggregate principal amount not to exceed $45,000,000; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the project, as defined herein, and the application, as defined herein.

**Resolution No.** 005-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Ray Hartz (San Francisco Open Government); expressed concerns relating to his Constitutional rights being violated during his public comment.*
*Walter Paulson; shared in song certain concerns with the Board.*
*David Elliott Lewis (Mental Health Board); spoke relating to mental health crises, support line, and counseling.*
*Christopher Dahl; expressed concerns relating to political parties and moral blindness.*
*Ross Hammond (Friends of the Earth); spoke in support of proposed legislation relating to hydraulic fracturing.*
*Jed Holtzman (350 San Francisco); spoke in support of proposed legislation relating to hydraulic fracturing.*
*Lawrence Danos (350 Bay Area); spoke in support of proposed legislation relating to hydraulic fracturing.*
*Hillary Aidun (Center for Biological Diversity); spoke in support of proposed legislation relating to hydraulic fracturing.*
*John; expressed various religious concerns.*
*Male Speaker (350 San Francisco); spoke in support of proposed legislation relating to hydraulic fracturing.*
*Frank Martinez Campos (Latin American Advancement); expressed concerns relating to abortion and working families.*
*Ellen Shaffer; expressed concerns relating to abortion and banners.*
*Robin Brasso (Silver Ribbon); expressed concerns relating to abortion and banners.*
*Pat Maginnis; expressed concerns relating to abortion and banners.*
*Paul Kangas (Solar One); spoke in support of proposed legislation relating to hydraulic fracturing.*
*Jordan D'Angle; expressed concerns relating to the corner property on Kearny and Broadway, renovations, and tenants.*
*Stephen Kasalatto; expressed concerns relating to the corner property on Kearny and Broadway and moratoriums.*
*Joe Brenner; expressed concerns relating to abortion and banners.*
*Susan Englander; expressed concerns relating to abortion and banners.*
*Marcos Major (Climate Action Now); spoke in support of proposed legislation relating to hydraulic fracturing.*
*James Glover; expressed concerns relating to local hiring.*
*Don Price; spoke indicating he stopped by to say hello to the Board of Supervisors.*
*Ace Washington; spoke commending District 5 and Bay View boycott.*
*Edmund Larry; expressed concerns relating to medical marijuana, 49ers, and march for Martin Luther King, Jr.*
*Jakkee Bryson; expressed concerns relating to eviction protection and police protection.*
*Male Speaker; expressed concerns relating to abortion.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140003 **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

**Motion No.** M14-005

**APPROVED**

**140016** **[Approval of a 90-Day Extension for Planning Commission Review of an Ordinance Rezoning 133-135 Golden Gate Avenue from RC-4 to C-3-G (File No. 130999)]**

**Sponsor: Kim**

Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130999) amending the Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Resolution No.** 013-14

**ADOPTED**

**140017** **[Approval of a 30-Day Extension for Planning Commission Review of Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control (File No. 131063)]**

**Sponsor: Wiener**

Resolution extending by 30-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 131063) amending the Planning Code to allow the construction of an additional dwelling unit or units within the existing envelope of a residential building or auxiliary structure on the same lot ("In-Law Units") on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154, and authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units; amending the Administrative Code to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building or any existing dwelling unit is already subject to the Rent Ordinance; making environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development in accordance with State law.

**Resolution No.** 014-14

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Severed from the For Adoption Without Committee Reference Agenda

*Supervisor Chiu requested that File No. 140023 be severed so that it may be considered separately.*

140023 **[Committee of the Whole - Implementing Assembly Bill 85 - Department of Public Health - Intent to Adopt the Savings Formula Option - FY2013-2014]**

**Sponsor: Chiu**

Motion scheduling the Board to sit as a Committee of the Whole on January 14, 2014, at 3:00 p.m., to hold a public hearing of persons interested in or objecting to the Resolution (File No. 131234) authorizing the Department of Public Health to implement Assembly Bill 85 via the Savings Formula Option to redirect a portion of current Health realignment funds to social service programs; and determine payments from the Health Subaccount to the Family Support Subaccount.

**Motion No.** M14-004

**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Chiu requested that File No. 131197 be severed so that it may be considered separately.*

131197 **[Fracking Moratorium in California]**

**Sponsors: Chiu; Mar**

Resolution supporting a moratorium on hydraulic fracturing in the State of California.

*Supervisor Mar requested to be added as a co-sponsor.*

**Supervisor Chiu, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 1, Line 1, by changing the title to 'Fracking Moratorium in California'; Line 11, by deleting 'is not' and adding 'has been unregulated'; Line 13, by deleting 'no' and adding 'at best incomplete'; on Page 2, Line 16, by deleting 'Unregulated'; and on Page 3, Line 15 by adding 'halt to'; Lines 16 and 17, by deleting 'moratorium on' and 'until further studies of the environmental impacts of fracking are done in conjunction with public input.' The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisors Campos and Cohen requested to be added as co-sponsors.*

**Resolution No.** 015-14

**ADOPTED AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

# LEGISLATION INTRODUCED AT ROLL CALL

## Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## Ordinances

**131086** **[Planning Code, Zoning Map - 1500 Page Street Affordable Housing Special Use District]**

**Sponsors: Breed; Campos**

Ordinance amending the Planning Code, to establish the 1500 Page Street Affordable Housing Special Use District (SUD) for the property located at 1500 Page Street (Assessor's Block No. 1223, Lot No. 004); amend the Zoning Map to add the Affordable Housing SUD and modify the height and bulk limits for the lot, and repeal the provisions establishing the 1500 Page Street Residential Care SUD and the permitted building height for the Residential Care SUD; affirming the Planning Department's California Environmental Quality Act findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

11/05/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/4/2013.

12/05/13; REFERRED TO DEPARTMENT.

12/18/13; RESPONSE RECEIVED.

01/08/14; RESPONSE RECEIVED.

01/14/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

**140032** **[Collective Bargaining Agreement, Arbitration Award - International Brotherhood of Electrical Workers, Local 6 - FY2013-2014]**

**Sponsor: Mayor**

Ordinance adopting and implementing the Arbitration Award amending Amendment No. 2 to the 2012-2014 Collective Bargaining Agreement between the City and County of San Francisco and the International Brotherhood of Electrical Workers, Local 6, by implementing special terms and conditions of employment for FY2013-2014.

01/14/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 2/13/2014.

140033 **[Authorizing Levy and Collection of Special Taxes Within City and County of San Francisco Special Tax District No. 2009-1 - Seismic Safety Retrofits]**

**Sponsors: Mayor; Chiu, Tang and Wiener**

Ordinance amending Ordinance No. 16-10 to authorize the levy and collection of Special Taxes within City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) for seismic safety retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

01/14/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/13/2014.

140034 **[Waiving Competitive Solicitation Requirement - Professional Services Agreement - Geneva Car Barn and Powerhouse Project - Aidlin Darling Design - $838,000]**

**Sponsor: Avalos**

Ordinance waiving the competitive solicitation requirement under Administrative Code, Section 6.40, and authorizing the General Manager of the Recreation and Park Department to enter into a Professional Services Agreement with Aidlin Darling Design in the amount of $838,000 for the purpose of completing the design and construction documents for the Geneva Car Barn and Powerhouse Project, to commence following Board approval.
(Fiscal Impact.)

01/14/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 2/13/2014.

140035 **[Administrative Code - Consumer Price Index Increase - Temporary Tenant Household Dislocation Compensation]**

**Sponsor: Chiu**

Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," to implement California Civil Code, Section 1947.9(a)(1)(A), by requiring the Rent Board to annually adjust the daily compensation rate for tenant household temporary dislocation of less than 20 days, according to the Consumer Price Index (CPI).

01/14/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2014.

140036 **[Planning Code - Dwelling Unit Density]**

**Sponsor: Wiener**

Ordinance amending the Planning Code to exclude Affordable Housing Units as defined from density calculations for projects that provide at least 20% of their units as Affordable Units and amending density calculations under certain scenarios; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Economic Impact)

01/14/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2014.

**140037** **[Planning Code - Creating a Definition for Fractional Ownership of a Building Containing Two or More Dwelling Units]**

**Sponsors: Mar; Campos, Avalos and Kim**

Draft Ordinance amending the Planning Code by creating a definition for ownership of a building containing two or more dwelling units, or possession thereof under a written contract to purchase or transfer ownership, by persons, firms, companies, corporations or partnerships, where persons, firms, companies, corporations or partnerships have or may have an undivided ownership interest in the property; by agreement have an exclusive right of occupancy to an individual dwelling unit; where the dwelling unit have not been mapped as a condominium, community apartment or stock cooperative per Subdivision Code, Article 9; creating a requirement for the Planning Department to review the proposed project for compliance with the Planning Code and any applicable design guidelines approved by the Planning Commission; requiring any application for conversion of an existing building from One Ownership to Fractionalized Ownership to meet all applicable provisions of the City's Housing, Building and City Planning Codes including standards for fire and life safety consistent with new construction, pending Board approval.

01/14/14; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

## Resolutions

**140038** **[Agreement - Owners' Association for Administration/Management of Central Market Community Benefit District]**

**Sponsor: Kim**

Resolution approving an agreement with the nonprofit Owners' Association for Administration/Management of the renewed and expanded property-based Community Benefit District known as the "Central Market Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval to June 30, 2028.

01/14/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140039** **[Pedestrian Safety Public Awareness Working Group]**

**Sponsors: Yee; Avalos and Kim**

Resolution urging the Transportation Authority to convene and coordinate a Pedestrian Safety Public Awareness Working Group and to develop an action plan within 90 days of their first meeting.

01/14/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140040** **[Opposing Anti-Abortion Banners on Market Street]**

**Sponsors: Campos; Yee, Farrell, Wiener, Chiu, Kim, Mar and Cohen**

Resolution opposing the anti-abortion banners on Market Street, urging the dedication of banner proceeds to the Department of Public Health for a campaign advancing accurate and scientifically verifiable education about women's reproductive health, and requesting the review of banner regulations to assess whether the banners were issued in violation of City law.

01/14/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140041 **[Bond Yee Day - January 31, 2014]**

**Sponsors: Chiu; Tang, Mar and Wiener**

Resolution commending and honoring Bond Yee for 32 years of distinguished service with the City and County of San Francisco and declaring January 31, 2014, to be Bond Yee Day in the City and County of San Francisco.

01/14/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140042 **[Urging Federal Action on Comprehensive Immigration Reform]**

**Sponsors: Chiu; Campos, Wiener, Cohen, Yee, Mar, Kim and Avalos**

Resolution urging suspension of further deportations of undocumented immigrants, extension of the "Deferred Action for Childhood Arrivals Program," and an end to the firings of undocumented workers.

01/14/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140047 **[Implement a VISION ZERO Three Point Plan: Engineering, Education and Enforcement]**

**Sponsors: Kim; Avalos, Yee, Chiu and Mar**

Resolution urging the Mayor, the Chief of Police, and Director of the Municipal Transportation Agency to adopt a VISION ZERO Three Point Plan to expedite the goals of San Francisco's Pedestrian and Bicycle Strategies and implement an action plan to reduce traffic fatalities to zero in the next ten years through better engineering, education, and enforcement.

01/14/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

## Requests for Hearing

140020 **[Hearing - Regulatory Status of Private Transportation Networks]**

**Sponsor: Mar**

Hearing on the regulatory status of private transportation networks and their role in meeting the City's transportation goals.

01/07/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

01/14/14; SUBSTITUTED AND ASSIGNED to Neighborhood Services and Safety Committee.

140043 **[Hearing - Permitting Process - Displaying Banners on Publicly Managed Lamp Posts]**

**Sponsor: Campos**

Hearing on the Department of Public Works' (DPW) permitting process for displaying banners on the City's publicly managed lamp posts, focusing on the process and criteria DPW follows to determine whether a banner meets the definition of a "City-wide special event banner," under the Public Works Code, Section 184.78(c)(3), as well as any special procedures that DPW follows when an applicant submits a request to post banners on historic lamp posts.

01/14/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140044** **[Hearing - Municipal Transportation Agency Contract for New Flyer Hybrid Buses]**
**Sponsor: Campos**
Hearing regarding the Municipal Transportation Agency contracting process for the New Flyer hybrid buses, approved by the Board of Supervisors on October 29, 2013, as referenced in File No. 130977, to obtain additional information regarding the contracting process and construction of the fleet that occurred before approval by the Board of Supervisors.
01/14/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140045** **[Hearing - Budget and Legislative Analyst's Performance Audit - Fire Department]**
**Sponsors: Cohen; Breed**
Hearing on the Budget and Legislative Analyst's Performance Audit of the Fire Department.
01/14/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140046** **[Hearing - Closures of Recycling Centers]**
**Sponsor: Mar**
Hearing to assess the issues posed by the closing of San Francisco's community recycling centers and to discuss what the City's collective strategy should be in light of these closures.
01/14/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

## In Memoriams

*Bobbie Jean Baker – Supervisors Wiener and Kim*
*Kathryn Vidosh – Supervisor Wiener*
*Michael Stewart Fahey – Supervisor Avalos*
*Ruby LaVerne Johnson – Supervisor Breed*
*Lynn Ann O'Brien Maddan – Supervisor Tang*

## ADJOURNMENT

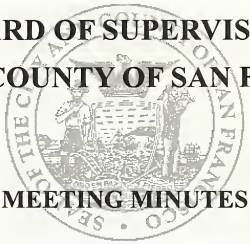
*There being no further business, the Board adjourned at the hour of 5:26 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on February 25, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO



## MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
APR – 8 2015
SAN FRANCISCO PUBLIC LIBRARY

**Tuesday, January 28, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**
**Regular Meeting**

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

***Angela Calvillo, Clerk of the Board***

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee** | Wednesday |
| Supervisors Farrell, Mar, Avalos | 1:00 PM |
| **City and School District Select Committee** | 4th Thursday |
| Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Fewer, Wynns | 3:30 PM |
| **Government Audit and Oversight Committee** | 2nd and 4th Thursday |
| Supervisors Breed, Tang, Chiu | 10:30 AM |
| **Land Use and Economic Development Committee** | Monday |
| Supervisors Wiener, Kim, Cohen | 1:30 PM |
| **Neighborhood Services and Safety Committee** | 1st and 3rd Thursday |
| Supervisors Campos, Mar, Yee | 10:00 AM |
| **Rules Committee** | 1st and 3rd Thursday |
| Supervisors Yee, Tang, Campos | 2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll, Supervisors Campos, Farrell, and Wiener were not present. There was a quorum.*

## AGENDA CHANGES

*There were none.*

*Supervisors Farrell and Wiener were noted present at 2:05 p.m.*

## APPROVAL OF MEETING MINUTES

**Supervisor Mar, seconded by Supervisor Farrell, moved to approve the Board Meeting Minutes of December 17, 2013. The motion carried by the following vote:**

Ayes: 10 - Avalos, Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Absent: 1 - Campos

## COMMUNICATIONS

*Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Honorable Mayor Edwin Lee on January 23, 2014, stating that it is in the best interest of the City to continue the local emergency related to the Rim Fire for several more months, and requests the Board continue its discretion over the process. Clerk Calvillo further communicated that she will place a reoccurring Motion on the Immediate Adoption calendar for the Board's consideration on February 11, March 11, April 8, May 6, and June 3, 2014, or until such time the Mayor or the Board terminate the emergency.*

## CONSENT AGENDA

*Supervisor Campos was noted present at 2:06 p.m.*

### Recommendation of the Budget and Finance Committee

**131141** **[Public Employment - Amendment to the Annual Salary Ordinance - Recreation and Park Department - FYs 2013-2014 and 2014-2015]**

**Sponsor: Mayor**

Ordinance amending Ordinance No. 160-13 (Annual Salary Ordinance - FYs 2013-2014 and 2014-2015) to reflect the addition of two Class 5502 Project Manager I positions (0.5 FTE) in the Recreation and Park Department for the implementation of the Recreation and Park Department's capital improvements.
(Fiscal Impact)

**Ordinance No.** 006-14

**FINALLY PASSED**

### Recommendations of the Land Use and Economic Development Committee

**130864** **[Planning Code - Transfer of Child Care Facility Oversight to Office of Early Care and Education]**

**Sponsor: Yee**

Ordinance amending the Planning Code to transfer proposed child care facility oversight from the Department of Children, Youth and Their Families to the Office of Early Care and Education; and making environmental findings.

**Ordinance No.** 005-14

**FINALLY PASSED**

**131085** **[Planning Code - Fulton Street Grocery Store Special Use District]**

**Sponsor: Breed**

Ordinance amending Planning Code, Section 249.35A, to extend the effective date for the Fulton Street Grocery Store Special Use District; provide controls for business signs; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 004-14

**FINALLY PASSED**

## Recommendations of the Rules Committee

131100 **[Appointments, Airport Facilities Naming Advisory Committee - Alex Walker and Nick Smith]**
Motion appointing Alex Walker and Nick Smith, for indefinite terms, to the Airport Facilities Naming Advisory Committee. (Clerk of the Board)

**Motion No.** M14-006

**APPROVED**

131109 **[Appointment, San Francisco Health Authority - John Gressman]**
Motion appointing John Gressman, term ending January 15, 2015, to the San Francisco Health Authority. (Clerk of the Board)

**Motion No.** M14-007

**APPROVED**

131112 **[Settlement of Claim - United States of America (U.S. Coast Guard) - $973,287.38]**
Resolution approving the settlement of the unlitigated claim by the United States of America (U.S. Coast Guard) against the City and County of San Francisco for $973,287.38; claim was served on June 5, 2012. (City Attorney)

**Resolution No.** 021-14

**ADOPTED**

131179 **[Settlement of Lawsuit - John Wettstein - $247,500]**
Ordinance authorizing settlement of the lawsuit filed by John Wettstein against the City and County of San Francisco by payment of up to $247,500; the lawsuit was filed on October 28, 2011, in the San Francisco Superior Court and removed to U.S. District Court, Northern District of California, on November 10, 2011, Case No. C11-5484-CRB; entitled John Wettstein v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

131180 **[Settlement of Lawsuit - Danilo Martin Molieri and Daniel Steven Molieri - $40,000]**
Ordinance authorizing settlement of the lawsuit filed by Danilo Martin Molieri and Daniel Steven Molieri against the City and County of San Francisco for $40,000; the lawsuit was filed on December 1, 2010, in United States District Court, Case No. CV10-5430 MMC; entitled Danilo Martin Molieri, et al., v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

131181 **[Settlement of Lawsuit - Ricky Rein - $100,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricky Rein against the City and County of San Francisco for $100,000; the lawsuit was filed on November 30, 2012, in San Francisco Superior Court, Case No. CGC-12-523533; entitled Ricky Rein v. City and County of San Francisco, et al. (City Attorney)

**PASSED, ON FIRST READING**

**140004** **[Appointment, Small Business Commission - Kathleen Dooley]**
Motion appointing Kathleen Dooley, term ending January 6, 2018, to the Small Business Commission. (Clerk of the Board)

**Motion No.** M14-008

**APPROVED**

**140005** **[Appointment, Balboa Park Station Community Advisory Committee - Gwynn Kaliher-Mackellen]**
Motion appointing Gwynn Kaliher-Mackellen, term ending January 9, 2015, to the Balboa Park Station Community Advisory Committee. (Clerk of the Board)

**Motion No.** M14-009

**APPROVED**

**140006** **[Appointment, Eastern Neighborhoods Citizens Advisory Committee - Julie Leadbetter]**
Motion appointing Julie Leadbetter, term ending October 19, 2015, to the Eastern Neighborhood Citizens Advisory Committee. (Clerk of the Board)

**Motion No.** M14-010

**APPROVED**

**140007** **[Appointment, Citizen's Advisory Committee for the Central Market Street and Tenderloin Area - Robert Marquez]**
Motion appointing Robert Marquez, term ending August 2, 2017, to the Citizen's Advisory Committee for the Central Market Street and Tenderloin Area. (Clerk of the Board)

**Motion No.** M14-011

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

*There were no items.*

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

*Privilege of the floor was granted to John Haley (Municipal Transportation Agency), who responded to questions raised throughout the discussion on File No. 130713.*

130713 **[Agreement - New Flyer of America Inc. - Purchase of Trolley Buses - Not to Exceed $94,950,444]**

**Sponsors: Wiener; Breed**

Resolution approving a contract with New Flyer of America Inc., for the purchase of 60 articulated trolley buses, associated equipment and spare parts, for an amount not to exceed $94,950,444.

*Supervisor Breed requested to be added as a co-sponsor.*

**Resolution No.** 020-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Privilege of the floor was granted to Brian Strong, Director (Capital Planning), Ben Rosenfield (City Controller), Kate Howard (Mayor's Office), and Jon Givner (City Attorney's Office), who responded to questions raised throughout the discussion on File Nos. 131190, 131189, 140059, and 140060.*

**131190** **[General Obligation Bond Election - Earthquake Safety and Emergency Response]**
**Sponsors: Mayor; Chiu and Mar**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

*Supervisor Wiener requested File No. 131190 be DUPLICATED (see File No. 140059).*

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED to February 4, 2014, with the Board sitting as a Committee of the Whole. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140059 **[General Obligation Bond Election - Earthquake Safety, Emergency Response, and Streetlights]**

**Sponsors: Mayor; Chiu**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

*Supervisor Wiener requested File No. 131190 be DUPLICATED.*

**DUPLICATED from File No. 131190**

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $425,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety, the construction, acquisition, and improvement of streetlights on public rights-of-way, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED AS AMENDED to February 4, 2014, with the Board sitting as a Committee of the Whole. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131189 **[General Obligation Bonds - Earthquake Safety and Emergency Response]**
**Sponsors: Mayor; Chiu**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.
(Fiscal Impact)

*Supervisor Wiener requested File No. 131189 be DUPLICATED (see File No. 140060).*

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Ordinance be CONTINUED to February 4, 2014, with the Board sitting as a Committee of the Whole. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140060** **[General Obligation Bonds - Earthquake Safety, Emergency Response, and Streetlights]**

**Sponsors: Mayor; Chiu**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

*Supervisor Wiener requested File No. 131189 be DUPLICATED.*

**DUPLICATED from File No. 131189**

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety, the construction, acquisition, and improvement of streetlights on public rights-of-way, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

**Supervisor Wiener, seconded by Supervisor Avalos, moved that this Resolution be CONTINUED AS AMENDED to February 4, 2014, with the Board sitting as a Committee of the Whole. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Kim was noted absent at 3:29 p.m., and present at 3:38 p.m.*

131193 **[Sale of Transferable Development Rights - War Memorial Complex - 301 and 401 Van Ness Avenue]**

**Sponsors: Mayor; Chiu and Wiener**

Resolution authorizing the Director of Property to sell up to 1,100,000 gross square feet of transferable development rights (TDR) from the War Memorial Complex, 301 and 401 Van Ness Avenue, at fair market value; and to execute and record Certificates of Transfer and to take such additional actions as may be necessary to effectuate one or more TDR transfers in accordance with Planning Code, Section 128.

*ADOPTED by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 016-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131211 **[Accept and Expend Grant - Kezar Triangle - Golden Gate Park - $670,000]**

**Sponsors: Breed; Mar**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of up to $670,000 from the San Francisco Parks Alliance, for the design and construction of landscape improvements to Kezar Triangle in Golden Gate Park for the period of August 15, 2013, through August 15, 2014.

*ADOPTED by the following vote:*

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 022-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131212 **[Accept and Expend Grant - San Francisco Youth Back on Treatment to Recovery Through Accountability, Collaboration, and Knowledge - $250,000]**

**Sponsor: Breed**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $250,000 from U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, to participate in a program, entitled "San Francisco Youth Back on Treatment to Recovery through Accountability, Collaboration, and Knowledge," for the period of October 1, 2013, through September 30, 2015; and waiving indirect costs.

*ADOPTED by the following vote:*

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 023-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131213 **[Accept and Expend Grant - Safe Havens: Supervised Visitation and Safe Exchange Grant Program - $133,333]**

**Sponsor: Breed**

Resolution retroactively authorizing the Department of Public Health to retroactively accept and expend a grant in the amount of $133,333 from Department of Justice, Office of Violence Against Women, to participate in a program, entitled "Safe Havens: Supervised Visitation and Safe Exchange Grant Program," for the period of October 1, 2013, through September 30, 2014; and waiving indirect costs.

*ADOPTED by the following vote:*

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 024-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131215 **[Accept and Expend Grant - San Francisco Parks Alliance - $1,150,000]**

**Sponsors: Farrell; Mar**

Resolution retroactively authorizing the Recreation and Park Department to accept and expend a grant of up to $1,150,000 from the San Francisco Parks Alliance for the design and construction of a renovated playground in Mountain Lake Park, for the period of June 20, 2013, through September 30, 2014.

*ADOPTED by the following vote:*

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 025-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131230** **[Real Property Lease - Port - Affordable Self Storage, Inc. - $24,664.86 Monthly]**
Resolution approving Port Commission Lease No. L-15690 with Affordable Self Storage, Inc. for paved vacant land located within Seawall Lot No. 349 in the Southern Waterfront with an initial monthly rent of $24,664.86 for a 58-month term and possible extension terms of up to 60 months, to commence following Board approval. (Port)
(Fiscal Impact)

*ADOPTED by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 017-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131231** **[Real Property Lease - Port - Affordable Self Storage, Inc. - $47,789.14 Monthly]**
Resolution approving Port Commission Lease No. L-15691 with Affordable Self Storage, Inc. for paved vacant land located within Seawall Lot No. 349 in the Southern Waterfront with an initial monthly rent of $47,789.14 for a 31-month term, to commence following Board approval. (Port)

*ADOPTED by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 018-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131235** **[Apply for Grant - Continuum of Care Program - Not to Exceed $24,000,000]**
Resolution approving the 2013 Grant Application for the United States Department of Housing and Urban Development Continuum of Care Program with an amount not to exceed $24,000,000; and fulfilling the Board of Supervisors review and approval process for all annual or otherwise recurring grants of $5,000,000 or more. (Human Services Agency)

*ADOPTED by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 026-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131238 **[Approval of Donations - Airport Capital Improvement Promotion and Event Fund - $400,000]**

Resolution approving donations of $100,000 or greater, totaling $400,000, to the Airport Capital Improvement Promotion and Event Fund from The Boeing Company, Hensel Phelps Construction Co., and United Airlines, Inc., pursuant to Administrative Code, Section 10.100-18. (Airport Commission)

*ADOPTED by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 027-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140013 **[Accept and Expend Grant - Byrne Criminal Justice Innovation Program - Up to $997,217]**

**Sponsor: Cohen**

Resolution retroactively authorizing the Office of the District Attorney to accept and expend up to $997,217 awarded by the Office of Justice Programs for a project entitled the "Safer Together Consortium," for the period of October 1, 2013, through September 30, 2016.

*ADOPTED by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 028-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Land Use and Economic Development Committee

**131118** **[Planning Code - Landmark Designation - 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City)]**

**Sponsors: Breed; Mar, Campos and Chiu**

Ordinance designating 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City), Assessor's Block No. 0684, Lot No. 020, as a landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*Supervisor Campos requested to be added as a co-sponsor.*

*PASSED ON FIRST READING by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131145** **[Competitive Selection Process - Landfill Disposal Provider]**

**Sponsors: Avalos; Farrell, Chiu, Tang, Breed, Kim, Yee, Wiener, Campos, Cohen and Mar**

Ordinance making findings that the City's competitive process for selecting a preferred contractor for landfill disposal was adequate, fair, and consistent with the request for proposals; ratifying the selection of Recology San Francisco (Recology) as the preferred contractor; ratifying the termination of the landfill disposal and facilitation agreements with Recology; endorsing environmental review under the California Environmental Quality Act (CEQA) of the Recology proposal as the City's preferred project alternative; clarifying that, consistent with prior practice and existing law, the definition of "services" contained in Administrative Code, Chapter 21, excludes the agreements resulting from the competitive selection process; and making environmental findings under CEQA.

*PASSED ON FIRST READING by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131162 **[General Plan - Adjacent Parcels to the Western South of Market, East South of Market, and Market and Octavia Area Plans]**

**Sponsor: Kim**

Ordinance amending the General Plan by amending the boundaries of the East South of Market Area Plan to incorporate 40 nearby parcels on Mission Street, generally bounded by 7th Street to the east, 9th Street to the west, and Minna Street to the south; amending the Market and Octavia Planning Area to incorporate nine adjacent parcels along Mission Street and 10th Street, generally bound by Washburn Street to the east, and Minna Street to the south; amending the Western South of Market Area Plan to remove one parcel on 10th Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

*PASSED ON FIRST READING by the following vote:*

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131161 **[Planning Code, Zoning Map - Adjacent Parcels and Western South of Market Cleanup]**

**Sponsor: Kim**

Ordinance amending Zoning Map, Sheets ZN01, ZN07, ZN08, HT07, HT08, and SU07, to revise use districts and height and bulk districts for parcels adjacent to and within the Western South of Market Plan Area; to extend the Van Ness and Market Downtown Residential Special Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*PASSED ON FIRST READING by the following vote:*

*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Mar, Tang, Wiener, Yee*
*Absent: 1 - Kim*

*Supervisor Kim, seconded by Supervisor Campos, moved to rescind the previous vote. The motion carried by the following vote:*

*Ayes: 11 – Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

### Privilege of the Floor

**Supervisor Yee, seconded by Supervisor Farrell, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Yee introduced, welcomed, and presented a Certificate of Honor to Michele Rutherford, Director of Office of Early Care and Education, in recognition of her work and accomplishments to improve early childhood care and education.*

*Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Bond Yee, Director of Sustainable Streets, Municipal Transportation Agency, in recognition of his accomplishments and 32 years of distinguished service with the City and County of San Francisco.*

*Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Melanie Nutter, Director of the Department of the Environment, in recognition of her accomplishments and distinguished service with the City and County of San Francisco.*

*Supervisor Farrell introduced, welcomed, and presented a Certificate of Honor to The BASIC (Bay Area Scholarships for Inner-City Children) Fund in recognition of their accomplishments broadening the educational opportunities for inner-city children and continued community support.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Sgt. Malcolm Anderson, Officer Matthew Friedman, Jerry Chen, and David Spector in recognition of their accomplishments in recovering stolen bicycles during several successful sting operations last year.*

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Female Speaker; expressed concerns related to the anti-abortion banners legislation.*
*Ellen Shaffer; expressed concerns related to the anti-abortion banners legislation.*
*Cheryl Traverse; expressed concerns related to the anti-abortion banners legislation.*
*Female Speaker: expressed concerns related to the anti-abortion banners legislation.*
*Joe Brenner; expressed concerns related to the anti-abortion banners legislation.*
*Linda Patterson; expressed concerns related to the anti-abortion banners legislation.*
*Christopher Hall; expressed concerns related to the anti-abortion banners legislation.*
*Female Speaker; expressed concerns related to the immigration reform legislation.*
*Rufus Watkins; expressed concerns regarding the Midtown Park apartments.*
*Female Speaker; expressed concerns regarding the Midtown Park apartments.*
*Donald Greg; expressed concerns regarding the Midtown Park apartments.*
*Marchelle Johnson; expressed concerns regarding the Midtown Park apartments.*
*Eddie Chan; expressed concerns regarding the Midtown Park apartments.*
*Henny Kelly; expressed concerns regarding the anti-abortion banners and Midtown Park apartments.*
*Steven Gerard; expressed concerns related to the anti-abortion banners legislation.*
*Female Speaker; expressed concerns related to the immigration reform legislation.*
*Tim Paulson; expressed concerns related to the immigration reform legislation.*
*Frank Martine DeCampo; expressed concerns related to the immigration reform legislation.*
*Male Speaker; expressed concerns related to the immigration reform legislation.*
*Viviana Guzman; expressed concerns related to the immigration reform legislation.*
*Female Speaker; expressed concerns related to the immigration reform legislation.*
*Justine Marcus; expressed concerns related to the anti-abortion banners legislation.*
*Ray Hartz; expressed various concerns relating to government.*
*Walter Paulson; expressed in song certain concerns with the Board.*
*Edmond Juicye; expressed various concerns.*
*Jerrell Banks; expressed concerns regarding the cleanliness of various neighborhoods.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140027 **[Final Map 6352 - 1502-1598 Yosemite Avenue, 1509-1587 Wallace Avenue, 2200-2260 Keith Street]**

Motion approving Final Map 6352, a merger and seven lot resubdivision, Lot "A" being a 34 unit commercial Condominium Project, located at 1502-1598 Yosemite Avenue, 1509-1587 Wallace Avenue, 2200-2260 Keith Street, being a subdivision of Assessor's Block No. 4830, Lot Nos. 001 and 015, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-012

**APPROVED**

140028 **[Final Map 4586 - 168 Hyde Street]**

Motion approving Final Map 4586, a 31 residential unit Condominium Project located at 168 Hyde Street, being a subdivision of Assessor's Block No. 0345, Lot No. 012A, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-013

**APPROVED**

**140041** **[Bond Yee Day - January 31, 2014]**

**Sponsors: Chiu; Tang, Mar and Wiener**

Resolution commending and honoring Bond Yee for 32 years of distinguished service with the City and County of San Francisco and declaring January 31, 2014, to be Bond Yee Day in the City and County of San Francisco.

**Resolution No.** 030-14

**ADOPTED**

**140051** **[Final Map 7096 - 1489-1495 Valencia Street]**

Motion approving Final Map 7096, an eight residential unit and one commercial unit, Mixed-Use Condominium Project, located at 1489-1495 Valencia Street, being a subdivision of Assessor's Block No. 6530, Lot Nos. 041 and 042, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-014

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Severed from the For Adoption Without Committee Reference Agenda

*Supervisor Campos requested that File No. 140040 be severed so that it may be considered separately.*

**140040** **[Opposing Anti-Abortion Banners on Market Street]**

**Sponsors: Campos; Yee, Farrell, Wiener, Chiu, Kim, Mar and Cohen**

Resolution opposing the anti-abortion banners on Market Street, urging the dedication of banner proceeds to the Department of Public Health for a campaign advancing accurate and scientifically verifiable education about women's reproductive health, and requesting the review of banner regulations to assess whether the banners were issued in violation of City law.

**Resolution No.** 029-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Chiu requested that File No. 140042 be severed so that it may be considered separately.*

**140042** **[Urging Federal Action on Comprehensive Immigration Reform]**

**Sponsors: Chiu; Campos, Wiener, Cohen, Yee, Mar, Kim and Avalos**

Resolution urging suspension of further deportations of undocumented immigrants, extension of the "Deferred Action for Childhood Arrivals Program," and an end to the firings of undocumented workers.

**Resolution No.** 031-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

### Ordinances

131062 **[Police Code - Reporting Information About Employees of Privately Owned Parking Garages and Parking Lots]**

**Sponsors: Wiener; Cohen, Campos and Mar**

Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in privately owned parking lots or parking garages.

10/29/13; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 11/28/2013.

11/13/13; REFERRED TO DEPARTMENT.

01/28/14; SUBSTITUTED AND ASSIGNED to Neighborhood Services and Safety Committee.

140061 **[Administrative Code - Plaza Program]**

**Sponsors: Mayor; Cohen**

Ordinance amending the Administrative Code, by adding Chapter 94, Sections 94.1 through 94.7, to establish a Plaza Program that coordinates City activities in some City-owned plazas on public property and public right-of-way; create a process to identify stewards to activate plazas under the jurisdiction of the Division of Real Estate and regulate such plazas; establishing administrative fees for the Plaza Program; and affirming the Planning Department's determination under the California Environmental Quality Act.

01/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/27/2014.

140062 **[Planning Code - Plaza Program]**

**Sponsors: Mayor; Cohen**

Ordinance amending the Planning Code, Sections 234, 234.1, and 234.2, in order to modify and make technical amendments to the provisions of Public Use Zoning Districts; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

01/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/27/2014.

**140063** **[Public Works Code - Plaza Program]**

**Sponsors: Mayor; Cohen**

Ordinance amending the Public Works Code, by adopting Section 792, to establish a permit program for plazas on the public right-of-way; and affirming the Planning Department's determination under the California Environmental Quality Act.

01/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/27/2014.

**140064** **[Police Code - Plaza Program Entertainment Permits]**

**Sponsors: Mayor; Cohen**

Ordinance amending the Police Code to include "Plazas" as identified in Administrative Code, Chapter 94, as a type of limited live performance locale, and establish various requirements applicable to such Plazas; and affirming the Planning Department's determination under the California Environmental Quality Act.

01/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/27/2014.

**140065** **[Shaw Alley Public Improvements - Gift Acceptance and Permit for Maintenance]**

**Sponsor: Kim**

Ordinance accepting the Shaw Alley public improvements and maintenance of same as a gift to the City; approving a major street encroachment permit for the construction and maintenance of the public improvements; deferring a portion of the additional street space occupancy permit fees associated with the permit and adjacent development; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing official acts in furtherance of this Ordinance.

01/28/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/27/2014.

**140081** **[Administrative Code - Dissolving the Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**

Ordinance amending the Administrative Code, by deleting Section 12X.6, to dissolve the Community Oversight Committee Regarding Enforcement of Marijuana Offenses. (Clerk of the Board)

01/28/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/27/2014.

**140082** **[Administrative Code - Dissolving the Surplus Property Citizens' Advisory Committee]**

Ordinance amending Administrative Code, Sections 23A.4, 23A.6, 23A.8, and 23A.11, and deleting Section 23A.9, to dissolve the Surplus Property Citizens' Advisory Committee. (Clerk of the Board)

01/28/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 2/27/2014.

## Resolutions

**140066** **[Lease - Coit Tower, LLC - $662,400 Annual Base Rent]**

**Sponsor: Chiu**

Resolution retroactively authorizing the General Manager of the Recreation and Park Department to execute a five-year lease from February 1, 2014, through January 31, 2019, with one three-year option to extend, for an initial annual base rent of $662,400 with Coit Tower, LLC, for the operation and management of Coit Tower; and reaffirming the commitment of the Board of Supervisors to protect and preserve Coit Tower and its murals in accordance with Proposition B, passed by voters on June 5, 2012.

01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140067** **[Accept and Expend Grant - Anti-Human Trafficking Task Force Program - $230,529]**

**Sponsor: Tang**

Resolution retroactively authorizing the Police Department to accept and expend a grant augmentation in the amount of $159,469 from the Governor's Office of Emergency Services, for the Anti-Human Trafficking Task Force Program, for the period of October 1, 2013, through June 30, 2014.

01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140068** **[Accept and Expend Grant - HIV Transmission Cluster Analysis to Inform Prevention - $108,366]**

**Sponsor: Wiener**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $108,366 from The Regents of the University of California to participate in a program, entitled "HIV Transmission Cluster Analysis to Inform Prevention," for the period of July 1, 2013, through June 30, 2014.

01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140069** **[Supporting Senate Bill 837 - Kindergarten Readiness Act]**

**Sponsors: Cohen; Campos**

Resolution expressing support for Senate Bill 837, the Kindergarten Readiness Act.

01/28/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140070** **[Supporting Transgender and Gender Non-Conforming Youth and Restorative Justice]**

**Sponsors: Campos; Wiener, Chiu, Mar and Avalos**

Resolution calling on the Contra Costa County District Attorney's Office to dismiss the charges filed against Jewlyes Klazson-Gutierrez and to offer community-based alternatives and processes that will ensure accountability; and facilitate and support healing and restoration for the youth involved and impacted by the November 13, 2013, incident at Hercules High School.

01/28/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140071** **[Urging the Municipal Transportation Agency to Implement a Market on the Move Pilot Project]**

**Sponsors: Chiu; Mar and Campos**

Resolution urging the Municipal Transportation Agency to implement a Market on the Move pilot project to improve the street for transit riders, bicyclists, and pedestrians through additional private vehicles, diversions, and other efforts.

01/28/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140072** **[Urging Governor Brown and the State Legislature to Restore Cuts to Medi-Cal Rates]**

**Sponsors: Chiu; Campos**

Resolution urging Governor Brown and the State Legislature to restore cuts to the Medi-Cal reimbursement rates.

01/28/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

**140073** **[Hearing - Update on San Francisco Climate Action Strategy]**

**Sponsor: Avalos**

Hearing to receive an update on the status of the San Francisco Climate Action Strategy , and the City's plans to meet the citywide Greenhouse Gas Emission requirements of Environment Code, Chapter 9.

01/28/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140074** **[Hearing - Pedestrian Safety]**

**Sponsor: Breed**

Hearing for the Pedestrian Safety Advisory Committee to report on its activities in 2013 and its goals for 2014, in light of the ongoing and grave concerns about pedestrian safety in San Francisco.

01/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140075** **[Hearing - Drought Preparations]**

**Sponsor: Breed**

Hearing with the Public Utilities Commission and Department of the Environment to review their plans for preserving water, and protecting San Francisco's watershed from drought and fire, given we are in the midst of the worst dry spell in 100 years, and Governor Brown has asked all Californians to reduce their water use by 20%.

01/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140076** **[Hearing - Status of the GoSolarSF Solar Incentive Program]**

**Sponsor: Chiu**

Hearing on the current status of the GoSolarSF solar incentive program and plans to ensure the ongoing success of the program in helping San Franciscans go solar and creating local green jobs.

01/28/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140077 **[Hearing - Controller's Six-Month Budget Status Report]**
**Sponsor: Farrell**
Hearing to receive an update from the Controller's Office on the Six-Month Budget Status Report.
01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140078 **[Hearing - Bed Bug Infestation Prevention, Treatment, Disclosure, and Reporting]**
**Sponsor: Kim**
Hearing on the status of implementation of bed bug legislation, codified as Health Code, Article 11A.
01/28/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

140079 **[Hearing - Late-Night Transportation]**
**Sponsor: Wiener**
Hearing with the Municipal Transportation Agency, Bay Area Rapid Transit, Alameda-Contra Costa County Transit District, Transportation Network Companies, the Taxi Industry, the Mayor's Office of Economic and Workforce Development, and the Entertainment Commission, to discuss the City's late-night transportation needs and progress towards developing a Late-Night Transportation Plan, with specific areas of focus, including ease of access, speed, and safety.
01/28/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

140080 **[Hearing - Annual Review and Adoption of the Board of Supervisors/Clerk of the Board Draft Budget - FYs 2014-2015 and 2015-2016]**
Hearing to consider the annual review and adoption of the Proposed Draft Budget for FYs 2014-2015 and 2015-2016 for the Board of Supervisors/Clerk of the Board. (Clerk of the Board)
01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

# PROPOSED ORDINANCES

140031 **[Street Vacation Order - Hunters View Phase 2 - West Point Road]**
Ordinance ordering the vacation of a portion of West Point Road and various public service easements for the Hunters View Phase 2 development; quitclaiming the City's interest in the vacation areas to the San Francisco Housing Authority; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; authorizing official acts in connection with this Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)
01/08/14, RECEIVED FROM DEPARTMENT.

01/28/14, ASSIGNED to Land Use and Economic Development Committee.

## PROPOSED RESOLUTIONS

**140029** **[Resolution of Intent - Street Vacation - Hunters View Phase 2 - West Point Road]**
Resolution declaring the intention of the Board of Supervisors to vacate a portion of West Point Road and various public service easements in the Hunters View Phase 2 Project and setting a hearing date of March 18, 2014, for all persons interested in the proposed vacation of said street areas. (Public Works Department)

01/08/14; RECEIVED FROM DEPARTMENT.

01/28/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140048** **[Settlement of Claim - Jacqueline Mallorca - $45,000]**
Resolution approving the settlement of the unlitigated claim filed by Jacqueline Mallorca against the City and County of San Francisco for $45,000; claim was filed on September 9, 2013. (City Attorney)

01/16/14; RECEIVED FROM DEPARTMENT.

01/28/14; RECEIVED AND ASSIGNED to Rules Committee.

**140049** **[California Environmental Quality Act Findings - Peninsula Pipelines Seismic Upgrade Project - San Mateo County]**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program, and a statement of overriding considerations related to the Peninsula Pipelines Seismic Upgrade Project in San Mateo County. (Public Utilities Commission)

01/17/14; RECEIVED FROM DEPARTMENT.

01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140050** **[Public Auction - Tax-Defaulted Real Property]**
Resolution authorizing the Tax Collector to sell certain parcels of tax-defaulted real property at public auction. (Treasurer-Tax Collector)

01/17/14; RECEIVED FROM DEPARTMENT.

01/28/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Requests Granted

*From: Supervisor Avalos*
*To: City Attorney*
*Requesting/Inquiring: Requesting the City Attorney draft legislation amending the Charter to re-authorize the Children's Fund and Baseline, including: inclusion of equity as a core value and goal; creation of the Children's Commission for the Department of Children, Youth, and Their Families; and a Mayor-coordinated annual Children's Services Plan and stronger evaluations system.*

**In Memoriams**

*Pete Seeger - Supervisor Avalos*
*Tommy Smith - Supervisor Breed*
*Estelle Griffin - Supervisor Breed*
*Barry LeBlanc - Supervisor Wiener*
*Tom Pait - Supervisor Wiener*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 5:14 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on March 4, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO PUBLIC LIBRARY

**Tuesday, February 4, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**
**Regular Meeting**

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee** | Wednesday |
| Supervisors Farrell, Mar, Avalos | 1:00 PM |
| **City and School District Select Committee** | 4th Thursday |
| Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Fewer, Wynns | 3:30 PM |
| **Government Audit and Oversight Committee** | 2nd and 4th Thursday |
| Supervisors Breed, Tang, Chiu | 10:30 AM |
| **Land Use and Economic Development Committee** | Monday |
| Supervisors Wiener, Kim, Cohen | 1:30 PM |
| **Neighborhood Services and Safety Committee** | 1st and 3rd Thursday |
| Supervisors Campos, Mar, Yee | 10:00 AM |
| **Rules Committee** | 1st and 3rd Thursday |
| Supervisors Yee, Tang, Campos | 2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Land Use and Economic Development Committee

131056 **[Street Artist Spaces - Post Street at Stockton Street]**
Resolution approving re-designation of two temporary selling spaces on Post Street, northwest corner, at Stockton Street for six months for street artists certified by the Arts Commission. (Arts Commission)

**Resolution No.** 032-14

**ADOPTED**

131057 **[Street Artist Space - Leavenworth Street at Jefferson Street]**
Resolution approving re-designation of one selling space on Leavenworth Street, west side, at Jefferson Street, for six months for street artists certified by the Arts Commission; exempting said space from the regulations of Police Code, Sections 2405(c)(6) and (11), prohibiting selling within ten feet from the outer edge of any entrance to any building and prohibiting selling within five feet of the display of any other street artist. (Arts Commission)

**Resolution No.** 033-14

**ADOPTED**

**131118** **[Planning Code - Landmark Designation - 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City)]**

**Sponsors: Breed; Mar, Campos and Chiu**

Ordinance designating 1712-1716 Fillmore Street (aka Marcus Books and Jimbo's Bop City), Assessor's Block No. 0684, Lot No. 020, as a landmark under Planning Code, Article 10; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*Supevisor Chiu requested to be added as a co-sponsor.*

**Ordinance No.** 007-14

**FINALLY PASSED**

**131145** **[Competitive Selection Process - Landfill Disposal Provider]**

**Sponsors: Avalos; Farrell, Chiu, Tang, Breed, Kim, Yee, Wiener, Campos, Cohen and Mar**

Ordinance making findings that the City's competitive process for selecting a preferred contractor for landfill disposal was adequate, fair, and consistent with the request for proposals; ratifying the selection of Recology San Francisco (Recology) as the preferred contractor; ratifying the termination of the landfill disposal and facilitation agreements with Recology; endorsing environmental review under the California Environmental Quality Act (CEQA) of the Recology proposal as the City's preferred project alternative; clarifying that, consistent with prior practice and existing law, the definition of "services" contained in Administrative Code, Chapter 21, excludes the agreements resulting from the competitive selection process; and making environmental findings under CEQA.

**Ordinance No.** 008-14

**FINALLY PASSED**

**131162** **[General Plan - Adjacent Parcels to the Western South of Market, East South of Market, and Market and Octavia Area Plans]**

**Sponsor: Kim**

Ordinance amending the General Plan by amending the boundaries of the East South of Market Area Plan to incorporate 40 nearby parcels on Mission Street, generally bounded by 7th Street to the east, 9th Street to the west, and Minna Street to the south; amending the Market and Octavia Planning Area to incorporate nine adjacent parcels along Mission Street and 10th Street, generally bound by Washburn Street to the east, and Minna Street to the south; amending the Western South of Market Area Plan to remove one parcel on 10th Street; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

**Ordinance No.** 009-14

**FINALLY PASSED**

131161 **[Planning Code, Zoning Map - Adjacent Parcels and Western South of Market Cleanup]**

**Sponsor: Kim**

Ordinance amending Zoning Map, Sheets ZN01, ZN07, ZN08, HT07, HT08, and SU07, to revise use districts and height and bulk districts for parcels adjacent to and within the Western South of Market Plan Area; to extend the Van Ness and Market Downtown Residential Special Use District; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 013-14

**FINALLY PASSED**

131232 **[Street Encroachment - Operator Convenience Facilities - Terminus of Various Muni Bus Routes]**

Resolution granting revocable permission to the Municipal Transportation Agency to occupy portions of the public right-of-way to install and maintain two new operator convenience facilities at the terminus of various Muni bus routes; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

**Resolution No.** 035-14

**ADOPTED**

140015 **[Electric Service Agreement - Public Utilities Commission - Transbay Project]**

**Sponsor: Kim**

Resolution authorizing the Public Utilities Commission's General Manager to enter into an Electric Service Agreement with the Transbay Joint Powers Authority for the Public Utilities Commission to be the primary provider of electric service to the Transbay Project beginning January 2014 and ending January 2017; and making findings pursuant to the California Environmental Quality Act.

**Resolution No.** 036-14

**ADOPTED**

## Recommendations of the Rules Committee

131179 **[Settlement of Lawsuit - John Wettstein - $247,500]**

Ordinance authorizing settlement of the lawsuit filed by John Wettstein against the City and County of San Francisco by payment of up to $247,500; the lawsuit was filed on October 28, 2011, in the San Francisco Superior Court and removed to U.S. District Court, Northern District of California, on November 10, 2011, Case No. C11-5484-CRB; entitled John Wettstein v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 010-14

**FINALLY PASSED**

**131180** **[Settlement of Lawsuit - Danilo Martin Molieri and Daniel Steven Molieri - $40,000]**
Ordinance authorizing settlement of the lawsuit filed by Danilo Martin Molieri and Daniel Steven Molieri against the City and County of San Francisco for $40,000; the lawsuit was filed on December 1, 2010, in United States District Court, Case No. CV10-5430 MMC; entitled Danilo Martin Molieri, et al., v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 011-14

**FINALLY PASSED**

**131181** **[Settlement of Lawsuit - Ricky Rein - $100,000]**
Ordinance authorizing settlement of the lawsuit filed by Ricky Rein against the City and County of San Francisco for $100,000; the lawsuit was filed on November 30, 2012, in San Francisco Superior Court, Case No. CGC-12-523533; entitled Ricky Rein v. City and County of San Francisco, et al. (City Attorney)

**Ordinance No.** 012-14

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

*There were no items.*

## NEW BUSINESS

### Recommendation of the Budget and Finance Committee

**140038** **[Agreement - Owners' Association for Administration/Management of Central Market Community Benefit District]**
**Sponsor: Kim**
Resolution approving an agreement with the nonprofit Owners' Association for Administration/Management of the renewed and expanded property-based Community Benefit District known as the "Central Market Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval to June 30, 2028.

**Resolution No.** 019-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Government Audit and Oversight Committee

130462 **[Business and Tax Regulations Code - Public Realm Landscaping, Improvement, and Maintenance Assessment Districts]**

**Sponsor: Cohen**

Ordinance amending the Business and Tax Regulations Code, by adding Article 15A "Public Realm Landscaping, Improvement and Maintenance Assessment Districts" (Green Benefit Districts), to provide for establishment of assessment districts to finance landscaping, improvements, and maintenance of public realm areas (outdoor spaces open to the public), including parks, parklets, sidewalks, unimproved areas, landscaped areas, plazas, and gardens; to authorize the purchase of real property with assessment funds, where property will be a public realm area and the district will provide landscaping, improvements and/or maintenance; and making environmental findings.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Land Use and Economic Development Committee

131086 **[Planning Code, Zoning Map - 1500 Page Street Affordable Housing Special Use District]**

**Sponsors: Breed; Campos**

Ordinance amending the Planning Code, to establish the 1500 Page Street Affordable Housing Special Use District (SUD) for the property located at 1500 Page Street (Assessor's Block No. 1223, Lot No. 004); amend the Zoning Map to add the Affordable Housing SUD and modify the height and bulk limits for the lot, and repeal the provisions establishing the 1500 Page Street Residential Care SUD and the permitted building height for the Residential Care SUD; affirming the Planning Department's California Environmental Quality Act findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

*Supervisor Campos requested to be added as a co-sponsor.*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

### Privilege of the Floor

**Supervisor Kim, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests.. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Bryan Kane in recognition of his adoption of fair and inclusive employment practices and emphasis on creating job opportunities for City residents seeking reentry into the workforce at his award-winning winery on Treasure Island.*

*Supervisor Kim introduced, welcomed, and presented a Certificate of Honor to Tiffani Mah, on behalf of Target, in recognition of their leadership in promoting fair and inclusionary hiring practices nationwide and successfully combining corporate values with social responsibility.*

## SPECIAL ORDER 3:00 P.M.

## Board of Supervisors Sitting as a Committee of the Whole

**140083** **[Hearing - General Obligation Bond - Earthquake Safety, Emergency Response, and Possibly Streetlights]**

Hearing of persons interested in or objecting to the Ordinance (File No. 131190) and Resolution (File No. 131189) relating to the General Obligation Bond to finance the construction, acquisition, improvement, and seismic retrofitting for earthquake safety of emergency response facilities; and the Ordinance (File No. 140059) and Resolution (File No. 140060) relating to the General Obligation Bond to finance the construction, acquisition, improvement, and seismic retrofitting for earthquake safety of emergency response facilities, and the construction, acquisition, and improvement of streetlights on public rights-of-way.

*The President inquired as to whether any member of the public wished to address the Board relating to the amendments to the General Obligation Bonds referenced in File Nos. 131190, 131189, 140059, 140060. Supervisor Wiener provided an overview of the bonds and amendments. Walter Paulson; shared in song support for the bonds. Christopher Dahl; expressed concerns relating to seismic safety and in support for the bonds. Male Speaker; spoke neither in support or opposition to the bonds. Ernestine Waters Weiss; spoke in support of the bonds. Todd Rydstrom (Public Utilities Commission) provided additional details relating to the bonds, capital needs, and answered questions raised throughout the discussion. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

131190 **[General Obligation Bond Election - Earthquake Safety and Emergency Response]**
**Sponsors: Mayor; Chiu and Mar**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

**Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be PASSED ON FIRST READING. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131189** **[General Obligation Bonds - Earthquake Safety and Emergency Response]**

**Sponsors: Mayor; Chiu**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.
(Fiscal Impact)

**Resolution No.** 034-14

**Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140059 **[General Obligation Bond Election - Earthquake Safety, Emergency Response, and Streetlights]**

**Sponsors: Mayor; Chiu**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $425,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety, the construction, acquisition, and improvement of streetlights on public rights-of-way, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

**Supervisor Wiener, seconded by Supervisor Mar, moved that this Ordinance be TABLED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140060** **[General Obligation Bonds - Earthquake Safety, Emergency Response, and Streetlights]**

**Sponsors: Mayor; Chiu**

Resolution determining and declaring that the public interest and necessity demand the construction, acquisition, improvement, and retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety, the construction, acquisition, and improvement of streetlights on public rights-of-way, and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.
(Fiscal Impact)

**Supervisor Wiener, seconded by Supervisor Mar, moved that this Resolution be TABLED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## COMMITTEE REPORT

### Recommendation of the Land Use and Economic Development Committee

**131192** **[Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]**

**Sponsors: Kim; Cohen, Avalos, Campos, Chiu, Mar and Yee**

Ordinance amending the Police Code to require employers and housing providers to limit the use of criminal history information, and follow certain procedures and restrictions when inquiring about and using conviction history information to make decisions about employment and tenancy in San Francisco; and amending the Administrative Code to require City contractors and subcontractors to adhere to the same limits, procedures, and restrictions when making decisions regarding employment of persons for work on City contracts and subcontracts.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Abdallah Megahed; expressed various concerns.*
*Ernestine Waters Weiss; spoke relating to lighting on the Embarcadero and recent crime streak.*
*Male Speaker; spoke relating to San Francisco/Oakland Bay Bridge declaration.*
*Adrienne Bousian (Planned Parenthood); spoke in support of proposed February Women's Health Month legislation.*
*Nicole Recalado (Planned Parenthood); spoke in support of proposed February Women's Health Month legislation.*
*Felicia Elizondo; spoke relating to the Vicki Marlane Memorial Campaign and renaming of 100 block of Turk Street.*
*Christopher Dahl; spoke expressing various concerns relating to democracy, slavery, and patrons.*
*Dr. Robert Gould; spoke relating to social responsibility and in support for proposed soda tax legislation.*
*Male Speaker; spoke in support of reallocation of fees for misplaced tenants.*
*Walter Paulson; shared in song certain concerns with the Board relating to Superbowl.*
*Male Speaker; expressed various religious concerns.*
*Eric P. Scott; spoke in opposition to proposed soda tax legislation.*
*Ace Washington; spoke relating to Black History Month and expressed various concerns relating to proposed soda tax legislation.*
*Peter Warfield (Library Users Association); expressed concerns relating to offsite storage of books not available for public access at SF Public Libraries.*
*Jakkee Bryson; spoke relating to Black History Month and expressed concerns for eviction protection in supportive housing facilities.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140069 **[Supporting Senate Bill 837 - Kindergarten Readiness Act]**
**Sponsors: Cohen; Campos**
Resolution expressing support for Senate Bill 837, the Kindergarten Readiness Act.

*Supervisor Campos requested to be added as a co-sponsor.*

**Supervisor Cohen, seconded by Supervisor Breed, moved that this Resolution be CONTINUED to February 11, 2014. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140070** **[Supporting Transgender and Gender Non-Conforming Youth and Restorative Justice]**

**Sponsors: Campos; Wiener, Chiu, Mar and Avalos**

Resolution calling on the Contra Costa County District Attorney's Office to dismiss the charges filed against Jewlyes Klazson-Gutierrez and to offer community-based alternatives and processes that will ensure accountability; and facilitate and support healing and restoration for the youth involved and impacted by the November 13, 2013, incident at Hercules High School.

**Resolution No.** 037-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140071** **[Urging the Municipal Transportation Agency to Implement a Market on the Move Pilot Project]**

**Sponsors: Chiu; Mar and Campos**

Resolution urging the Municipal Transportation Agency to implement a Market on the Move pilot project to improve the street for transit riders, bicyclists, and pedestrians through additional private vehicles, diversions, and other efforts.

*Supervisors Mar and Campos requested to be added as co-sponsors.*

**Resolution No.** 038-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140072** **[Urging Governor Brown and the State Legislature to Restore Cuts to Medi-Cal Rates]**

**Sponsors: Chiu; Campos**

Resolution urging Governor Brown and the State Legislature to restore cuts to the Medi-Cal reimbursement rates.

*Supervisor Campos requested to be added as a co-sponsor.*

**Resolution No.** 039-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

### Ordinances

140090 **[Administrative Code - Local Hiring Policy - Jurisdictional Boundary for Mandatory Participation]**

**Sponsors: Avalos; Mar and Campos**

Ordinance amending the Administrative Code, to provide that the residents of the Public Utilities Commission service area are considered "local" for purposes of mandatory participation for the City's Local Hiring Policy, on certain projects located within 70 miles of the jurisdictional boundary of the City and County of San Francisco.

02/03/14; RECEIVED FROM DEPARTMENT.

02/04/14; ASSIGNED to Budget and Finance Committee.

140094 **[Housing Code - Housing Access - Extending Protections to All Persons Sharing Housing]**

**Sponsor: Avalos**

Draft Ordinance amending the Housing Code, Chapter 5, Section 503(d), "Housing Access," to promote affordable housing by extending the protections of that section to all persons sharing housing by deleting the references to "families," and to specify that both prospective and current tenants are protected; and amending Section 503(b), "Superficial Floor Area," to make a technical correction.

02/04/14; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

**140095** **[Administrative Code - Residential Rent Stabilization and Arbitration Ordinance: Prohibit Rent Increases and Evictions Based on Additional Occupants]**

**Sponsor: Avalos**

Draft Ordinance amending Administrative Code, Chapter 37, "Residential Rent Stabilization and Arbitration Ordinance," Sections 37.3 and 37.9, to prohibit rent increases based on the addition of occupants, even where a pre-existing rental agreement or lease otherwise permits a rent increase for additional occupants, except that a landlord may petition for and be granted a rent increase based on increased costs caused by the additional occupant(s), and except that rent increases otherwise permitted by California Civil Code, Section 1954.53(d)(1), are not prohibited (Section 37.3(a)( 11)); and to prohibit evictions based on the addition of occupants, so long as the total number of occupants does not exceed the maximum number of occupants per sleeping room set by Housing Code, Section 503(b), "Superficial Floor Area" standards, if the landlord has unreasonably refused a written request by the tenant to add the occupant(s) (Section 37.9(a)(2)).

02/04/14; ASSIGNED UNDER 30 DAY RULE PENDING APPROVAL AS TO FORM to Land Use and Economic Development Committee.

**140096** **[Administrative Code - Tenant Relocation Assistance Payment]**

**Sponsors: Campos; Kim, Avalos and Mar**

Ordinance amending the Administrative Code, to mitigate adverse impacts of tenant evictions to provide that when residential units are withdrawn from the rental market under the Ellis Act, each relocated tenant is entitled to the greater of the existing rent relocation payment, or the difference between the tenant's current rent and the prevailing rent for a comparable apartment in San Francisco over a two year period.

02/04/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/6/2014.

**140097** **[Planning Code - Medical Cannabis Dispensaries - Ocean Avenue Neighborhood Commercial Transit District]**

**Sponsor: Yee**

Ordinance amending the Planning Code to require that, in the Ocean Avenue Neighborhood Commercial Transit District, a Medical Cannabis Dispensary (MCD) may be allowed within 500 feet of another MCD as a conditional use, provided that no other Citywide regulation governing the proximity of MCDs to each other becomes law; affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/04/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/2/2014.

## Resolutions

**140091** **[Administrative Code - Local Hiring Policy - Extending the Periodic Review and Mandatory Participation Level]**

**Sponsors: Avalos; Mar and Campos**

Resolution amending the Administrative Code, to extend the periodic review of the City's Local Hiring Policy and to determine the mandatory participation level for the policy.

02/03/14; RECEIVED FROM DEPARTMENT.

02/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140099 **[Accept and Expend Grant - San Francisco Family Intervention, Reentry and Supportive Transitions Program - $749,967]**

**Sponsor: Breed**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $749,967 from U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, and Second Chance Act Juvenile Reentry Program, to participate in a program entitled, "San Francisco Family Intervention, Reentry, and Supportive Transitions Program," for the period of October 1, 2013, through September 30, 2014.

(Fiscal Impact)

02/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140100 **[Agreement - Owners' Association for Administration/Management of Top of Broadway Community Benefit District]**

**Sponsor: Chiu**

Resolution approving an agreement with the nonprofit Owners' Association for Administration/Management of the established property-based Community Benefit District known as the "Top of Broadway Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, to June 30, 2021.

02/04/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140103 **[Ground Lease - Successor Agency Land - 1751 Carroll Avenue - Bayview Senior Housing]**

**Sponsor: Cohen**

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, for a term of 55 years for the purpose of developing housing for very low-income senior households; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Fiscal Impact)

02/04/14; RECEIVED AND ASSIGNED to Board of Supervisors.

140104 **[Apply For Grants - Housing Related Parks Program]**

**Sponsor: Mayor**

Resolution authorizing the Recreation and Park Department to apply for grants from the California Department of Housing and Community Development.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140105 **[Urging Temporary Protected Status for the Philippines]**

**Sponsors: Avalos; Chiu, Campos and Mar**

Resolution urging the Secretary of State and the United States Department of Homeland Security to grant temporary protected status to the Philippines in order to support the recovery effort in the aftermath of Super Typhoon Haiyan.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140106** **[Supporting Assembly Bill 1439 (Salas) - Prohibiting Sweepstakes Gambling Cafes]**

**Sponsor: Avalos**

Resolution supporting Assembly Bill 1439, authored by Assemblymember Rudy Salas, which would prohibit the operation of gambling themed or simulated gambling electronic video monitors at Internet sweepstakes businesses.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140107** **[Women, Girls, and Transgender Women's Health Month - February 2014]**

**Sponsors: Campos; Tang, Farrell, Wiener, Mar, Avalos, Chiu and Cohen**

Resolution declaring February 2014 as Women, Girls, and Transgender Women's Health Month in the City and County of San Francisco, encouraging women, girls, and transgender women to sign-up for health insurance through Covered California or the expanded Medi-Cal Program; acknowledging that reproductive health is a vital component of women, girls, and transgender women's health and overall well being that must be recognized, prioritized, and protected; affirming San Francisco's support for the Women's Health Protection Act of 2013; launching a social media campaign to honor women, girls, and transgender women's health; and encourage women, girls, and transgender women to obtain health coverage through Covered California, the expanded Medi-Cal Program, or Healthy San Francisco.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140108** **[One Billion Rising for Justice Day - February 14, 2014]**

**Sponsors: Chiu; Campos**

Resolution joining the global call to action opposing violence against women and proclaiming February 14, 2014, as "One Billion Rising for Justice Day" in the City and County of San Francisco.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140109** **[Apply, Accept, and Expend State Grant - Urban Greening for Sustainable Communities - $17,861]**

**Sponsor: Cohen**

Resolution approving an application for and authorizing the Department of Public Works to accept and expend a grant in the amount of $17,861 from the California Strategic Growth Council's Urban Greening for Sustainable Communities Grant Program to landscape and green Bret Harte Elementary School, for the period of March 1, 2014, through August 31, 2014.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Motions

140098 **[Initiative Ordinance - Business and Tax Regulations Code - Tax on Sugar-Sweetened Beverages to Fund Food and Health Programs]**

**Sponsors: Mar, Wiener; Avalos, Campos, Chiu and Cohen**

Motion ordering submitted to the voters at an election to be held on November 4, 2014, an Ordinance amending the Business and Tax Regulations Code by adding a new Article 8, imposing a tax of two cents per ounce on the distribution of sugar-sweetened beverages, to fund City-operated programs and City grants for active recreation and improving food access, health, and nutrition, and to fund San Francisco Unified School District physical education, after-school physical activity, health, or nutrition programs, and school lunch and other school nutrition programs.
(Economic Impact)

02/04/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 3/6/2014.

140101 **[Committee of the Whole - Ground Lease - Carroll Street Senior Community - 1751 Carroll Avenue - March 4, 2014]**

**Sponsor: Cohen**

Motion scheduling the Board to sit as a Committee of the Whole on March 4, 2014, at 3:00 p.m., to hold a public hearing on the proposal of the Mayor's Office of Housing and Community Development (acting on behalf of the Office of Community Investment and Infrastructure) to enter into a Ground Lease Agreement, for a term of 55 years commencing upon Board approval, for the purpose of developing housing for very low-income senior households, located at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carol Avenue Senior Homes, LP, a California limited partnership, pursuant to the provisions of California Health and Safety Code, Section 33433, Community Redevelopment Law.

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140110 **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

02/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

140102 **[Hearing - Ground Lease - Successor Agency Land - 1751 Carroll Avenue - Bayview Senior Housing]**

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, for a term of 55 years for the purpose of developing housing for very low-income senior households; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

02/04/14, SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**140111** **[Hearing - Our Children, Our City Collaborative]**

**Sponsors: Avalos; Yee and Mar**

Hearing on the final report, including the public engagement process, of the Our Children, Our City collaborative to improve the outcomes of the Public Education Enrichment Fund and the Children's Fund, and other policy recommendations for the re-authorization of these two funds.

02/04/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

**140112** **[Hearing - Status of Sutter/California Pacific Medical Center Cathedral Hill Development Agreement and Construction Project]**

**Sponsors: Campos; Farrell and Mar**

Hearing on the status of Sutter/California Pacific Medical Center (CPMC) Cathedral Hill Development Agreement (DA) and construction project, including updates from Sutter/CPMC and key City departments on DA commitments implemented thus far, and a schedule of future commitments, as well as an update on project construction and hospital planning.

02/04/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

# PROPOSED RESOLUTION

**140056** **[Performance Contract Approval - California Department of Health Care Services - Mental Health Services]**

Resolution retroactively approving Performance Contract No. 13-90332, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, and Community Mental Health Services Grant programs, for the period of July 1, 2013, through June 30, 2014; and authorizing the Community Behavioral Health Services Director, Department of Public Health, to sign said agreement and any and all amendments in the future. (Public Health Department)
(Fiscal Impact)

01/24/14; RECEIVED FROM DEPARTMENT.

02/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## In Memoriams

*Stu Smith - Full Board*
*Willie Hunter Payne - Supervisor Cohen*
*Brian McEvoy - Supervisor Farrell*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 4: 11 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on March 11, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

**Tuesday, February 11, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

GOVERNMENT DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee** | Wednesday |
| Supervisors Farrell, Mar, Avalos | 1:00 PM |
| **City and School District Select Committee** | 4th Thursday |
| Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Norton, Fewer, Wynns | 3:30 PM |
| **Government Audit and Oversight Committee** | 2nd and 4th Thursday |
| Supervisors Breed, Tang, Chiu | 10:30 AM |
| **Land Use and Economic Development Committee** | Monday |
| Supervisors Wiener, Kim, Cohen | 1:30 PM |
| **Neighborhood Services and Safety Committee** | 1st and 3rd Thursday |
| Supervisors Campos, Mar, Yee | 10:00 AM |
| **Rules Committee** | 1st and 3rd Thursday |
| Supervisors Yee, Tang, Campos | 2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:03 p.m. On the call of the roll, Supervisors Avalos, Kim, and Yee were not present. There was a quorum.*

*Supervisors Avalos and Kim were noted present at 2:04 p.m.*
*Supervisor Yee was noted present at 2:05 a.m.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

*There were none.*

## COMMUNICATIONS

*There were none.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

**140113** **[Formal Policy Discussions - February 11, 2014]**

Pursuant to Charter Sections 2.103 and 3.100(7), and Administrative Code Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisor representing Districts 10. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. When the City adopted the Eastern Neighborhoods Plan we were aware a significant funding gap existed for the promised neighborhood infrastructure improvements. As development is moving forward at a fast pace, the infrastructure needed to support this growth has significantly lagged. Current and future residents need additional parks, transportation streetscape and pedestrian safety improvements to accommodate this growth. I recently held a hearing on how the City is going to address both this funding gap and the slow project delivery from City departments in the Eastern Neighborhoods. I believe that an Infrastructure Financing District (IFD) is one of the strongest tools we have to address this problem. I have been told by your staff for the last year that you are not interested in pursuing an IFD and most recently that it's your intention to fund the infrastructure improvements for the Eastern Neighborhoods in your proposed upcoming November Ballot initiative for Municipal Transportation Agency (MTA). Would you support an IFD for Eastern Neighborhoods separate from your proposed November Ballot initiative and should this initiative fail, what is your plan to support the infrastructure needs of the Eastern Neighborhoods? Additionally, would you support efforts to slow the pace of development until the City can meet its obligations in funding and delivering the associated infrastructure improvements? (Supervisor Cohen, District 10)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

### Recommendation of the Government Audit and Oversight Committee

**130462** **[Business and Tax Regulations Code - Public Realm Landscaping, Improvement, and Maintenance Assessment Districts]**

**Sponsor: Cohen**

Ordinance amending the Business and Tax Regulations Code, by adding Article 15A "Public Realm Landscaping, Improvement and Maintenance Assessment Districts" (Green Benefit Districts), to provide for establishment of assessment districts to finance landscaping, improvements, and maintenance of public realm areas (outdoor spaces open to the public), including parks, parklets, sidewalks, unimproved areas, landscaped areas, plazas, and gardens; to authorize the purchase of real property with assessment funds, where property will be a public realm area and the district will provide landscaping, improvements and/or maintenance; and making environmental findings.

**Ordinance No.** 014-14

**FINALLY PASSED**

## Recommendations of the Land Use and Economic Development Committee

131086 **[Planning Code, Zoning Map - 1500 Page Street Affordable Housing Special Use District]**

**Sponsors: Breed; Campos**

Ordinance amending the Planning Code, to establish the 1500 Page Street Affordable Housing Special Use District (SUD) for the property located at 1500 Page Street (Assessor's Block No. 1223, Lot No. 004); amend the Zoning Map to add the Affordable Housing SUD and modify the height and bulk limits for the lot, and repeal the provisions establishing the 1500 Page Street Residential Care SUD and the permitted building height for the Residential Care SUD; affirming the Planning Department's California Environmental Quality Act findings; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 015-14

**FINALLY PASSED**

131192 **[Police, Administrative Codes - Considering Criminal History in Employment and Housing Decisions]**

**Sponsors: Kim; Cohen, Avalos, Campos, Chiu, Mar and Yee**

Ordinance amending the Police Code to require employers and housing providers to limit the use of criminal history information, and follow certain procedures and restrictions when inquiring about and using conviction history information to make decisions about employment and tenancy in San Francisco; and amending the Administrative Code to require City contractors and subcontractors to adhere to the same limits, procedures, and restrictions when making decisions regarding employment of persons for work on City contracts and subcontracts.

**Ordinance No.** 017-14

**FINALLY PASSED**

131185 **[Avigation Easements - San Mateo County - San Francisco International Airport's Noise Insulation Program]**

Resolution approving the acquisition of 33 Avigation Easements from various property owners in San Mateo County to replace expiring Avigation Easements required for the San Francisco International Airport's Noise Insulation Program (Project); adopting findings that the Project is categorically exempt from environmental review under the California Environmental Quality Act, Class 1: Existing Facilities; adopting findings that the acquisition is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution. (Real Estate Department)

**Resolution No.** 040-14

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Committee

**131190** **[General Obligation Bond Election - Earthquake Safety and Emergency Response]**
**Sponsors: Mayor; Chiu and Mar**

Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, June 3, 2014, for the purpose of submitting to San Francisco voters a proposition to incur the following bonded debt of the City and County: $400,000,000 to finance the construction, acquisition, improvement, and seismic retrofitting of Neighborhood Fire and Police Stations, the Emergency Firefighting Water System, seismically secure facilities for the Medical Examiner, the Police Department's Traffic Company, the Police Department's Forensic Services Division, and other critical infrastructure and facilities for earthquake safety and related costs necessary or convenient for the foregoing purposes; authorizing landlords to pass-through 50% of the resulting property tax increase to residential tenants in accordance with Administrative Code, Chapter 37; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County, and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest; prescribing notice to be given of such election; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA), and adopting findings under CEQA for the remaining portion of the proposed bond; finding that the proposed bond is in conformity with the eight priority policies of Planning Code, Section 101.1(b), and is consistent with the General Plan; consolidating the special election with the general election; establishing the election precincts, voting places, and officers for the election; waiving the word limitation on ballot propositions imposed by Municipal Elections Code, Section 510; complying with the restrictions on the use of bond proceeds specified in California Government Code, Section 53410; and incorporating the provisions of Administrative Code, Sections 5.30-5.36; and waiving the time requirements specified in Administrative Code, Section 2.34.

*Supervisor Mar requested to be added as a co-sponsor.*

**Ordinance No.** 016-14

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

140010 **[Accept and Expend Grant - Building Resilience Against Climate Effects: Empowering San Francisco Communities to Address Climate Change - $173,515]**

**Sponsor: Mayor**

Resolution retroactively authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $173,515 from Centers for Disease Control and Prevention to participate in a program entitled Building Resilience Against Climate Effects: Empowering San Francisco Communities to Address Climate Change, for the period of September 1, 2013, through August 31, 2014.

**Resolution No.** 041-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140066 **[Lease - Coit Tower, LLC - $662,400 Annual Base Rent]**

**Sponsors: Chiu; Mar**

Resolution retroactively authorizing the General Manager of the Recreation and Park Department to execute a five-year lease from February 1, 2014, through January 31, 2019, with one three-year option to extend, for an initial annual base rent of $662,400 with Coit Tower, LLC, for the operation and management of Coit Tower; and reaffirming the commitment of the Board of Supervisors to protect and preserve Coit Tower and its murals in accordance with Proposition B, passed by voters on June 5, 2012.
(Fiscal Impact)

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No.** 042-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

### Recommendation of the Land Use and Economic Development Committee

130938 **[Planning Code - Transit Impact Development Fee Exemptions]**

**Sponsor: Wiener**

Ordinance amending the Planning Code to revise deadlines for certain Transit Impact Development Fee (TIDF) exemptions; eliminate project-specific references in exemptions applicable to redevelopment areas, and make such exemptions dependent on the terms of the controlling development agreement, redevelopment plan, interagency agreement or other contract entered into by the City; require that the TIDF be calculated based on the rate in effect and the time of issuance of the first construction document; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

### Privilege of the Floor

**Supervisor Avalos, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Jim Cruz of the National Alliance for Filipino Concerns (NAFCON) in recognition of their volunteerism, fundraising, accomplishments, and continued community support.*

*Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Workers and Owners of the Rainbow Grocery Store in recognition of their green practices, fundraising and 'After the Storm' Campaign, accomplishments, and continued community support.*

## COMMITTEE REPORTS

130650 **[Administrative Code - Home Detention and Electronic Monitoring Program]**
Ordinance amending the Administrative Code to expand the category of jail inmates eligible for the Home Detention Program; and authorizing the Sheriff to implement an Electronic Monitoring Program to pretrial detainees being held in lieu of bail. (Sheriff)

*This item was not sent as a Committee Report.*

131106 **[Liquor License - 222 Hyde Street]**
Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Larry Livingston for The Basement, located at 222 Hyde Street (District 6), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

*This item was not sent as a Committee Report.*

## Recommendations of the Neighborhood Services and Safety Committee

131167 **[Liquor License Transfer - 1301 Van Ness Avenue]**

Resolution determining that the premises-to-premises transfer of a Type 21 off-sale general license and a Type 42 on-sale beer and wine public premises license from 1301 Van Ness Avenue to the same address (District 2), to Liz Zaninovich for Beverages & More, Inc., dba BevMo!, will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

**Resolution No.** 043-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131184 **[Liquor License Transfer - 829-26th Street]**

Resolution determining that the transfer of a Type 20 off-sale beer and wine license from 129 Carolina Street to 829-26th Street (District 10), to David Netzer for Wine House Limited, will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4. (Neighborhood Services and Safety Committee)

**Resolution No.** 044-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Male Speaker; expressed various religious concerns.*
*Peter Warfield (Library User's Association); expressed concerns relating to access to periodicals and policification of the SF Public Library.*
*Francisco Da Costa, expressed various concerns relating to public testimony timeframes, rental rates, and Supervisors' salaries.*
*Walter Paulson; shared in song certain concerns relating to the Chinese New Year, recent rain, and Phillipines typhoon with the Board.*
*Jordan Nagle; expressed concerns relating to the proposed Broadway Corridor Liquor License Moratorium.*
*Ray Hartz; expressed concerns relating to constitutional and civil rights, open government, public participation, and Sunshine Ordinance determinations.*
*Male Speaker (Tenderloin Walking Tour Guide); expressed concerns relating to Turk and Taylor clean-up.*
*Male Speaker; expressed concerns relating to potential City College closure and in support of proposed Resolution relating to City College.*
*Jenny Worley; spoke in support of proposed Resolution relating to City College.*
*Timothy Killikelly; spoke in support of proposed Resolution relating to City College.*
*Ken Tray; spoke in support of proposed Resolution relating to City College.*
*Ariel Hiller; spoke in support of proposed Resolution relating to City College.*
*Dr. Anita Grier (Former Members of the City College of San Francisco Board of Trustees); expressed concerns relating to potential City College closure and spoke in support of proposed Resolution relating to City College.*
*Male Speaker; spoke in support of proposed Resolution relating to City College.*
*Shanell Williams (Student Trustee); spoke in support of proposed Resolution relating to City College.*
*Female Speaker; spoke in support of proposed Resolution relating to City College.*
*Dee Selby; spoke in support of proposed Resolution relating to City College.*
*Pam Tan Lee; spoke in support of proposed Resolution relating to City College.*
*James Tracy; spoke in support of proposed Resolution relating to City College.*
*John Rizzo (Member of the City College of San Francisco Board of Trustees); spoke in support of proposed Resolution relating to City College.*
*Alisa Messer (AFT 2121); spoke in support of proposed Resolution relating to City College.*
*Neil Maller; spoke in opposition to the renaming of the Bay Bridge.*
*Roger Scott; spoke in support of proposed Resolution relating to City College.*
*Male Speaker; expressed various concerns and in support of proposed legislation introduced by Supervisor Farrell.*
*Jakkee Bryson; spoke relating to Black History Month and expressed concerns for eviction protection in supportive housing facilities.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**140104** **[Apply For Grants - Housing Related Parks Program]**
**Sponsor: Mayor**
Resolution authorizing the Recreation and Park Department to apply for grants from the California Department of Housing and Community Development.

**Resolution No.** 045-14
**ADOPTED**

140106 **[Supporting Assembly Bill 1439 (Salas) - Prohibiting Sweepstakes Gambling Cafes]**
**Sponsor: Avalos**
Resolution supporting Assembly Bill 1439, authored by Assemblymember Rudy Salas, which would prohibit the operation of gambling themed or simulated gambling electronic video monitors at Internet sweepstakes businesses.

**Resolution No.** 048-14

**ADOPTED**

140107 **[Women, Girls, and Transgender Women's Health Month - February 2014]**
**Sponsors: Campos; Tang, Farrell, Wiener, Mar, Avalos, Chiu and Cohen**
Resolution declaring February 2014 as Women, Girls, and Transgender Women's Health Month in the City and County of San Francisco, encouraging women, girls, and transgender women to sign-up for health insurance through Covered California or the expanded Medi-Cal Program; acknowledging that reproductive health is a vital component of women, girls, and transgender women's health and overall well being that must be recognized, prioritized, and protected; affirming San Francisco's support for the Women's Health Protection Act of 2013; launching a social media campaign to honor women, girls, and transgender women's health; and encourage women, girls, and transgender women to obtain health coverage through Covered California, the expanded Medi-Cal Program, or Healthy San Francisco.

**Resolution No.** 049-14

**ADOPTED**

140108 **[One Billion Rising for Justice Day - February 14, 2014]**
**Sponsors: Chiu; Campos**
Resolution joining the global call to action opposing violence against women and proclaiming February 14, 2014, as "One Billion Rising for Justice Day" in the City and County of San Francisco.

*Supervisor Campos requested to be added as a co-sponsor.*

**Resolution No.** 050-14

**ADOPTED**

140109 **[Apply, Accept, and Expend State Grant - Urban Greening for Sustainable Communities - $17,861]**
**Sponsor: Cohen**
Resolution approving an application for and authorizing the Department of Public Works to accept and expend a grant in the amount of $17,861 from the California Strategic Growth Council's Urban Greening for Sustainable Communities Grant Program to landscape and green Bret Harte Elementary School, for the period of March 1, 2014, through August 31, 2014.

**Resolution No.** 046-14

**ADOPTED**

**140101** **[Committee of the Whole - Ground Lease - Carroll Street Senior Community - 1751 Carroll Avenue - March 4, 2014]**

**Sponsor: Cohen**

Motion scheduling the Board to sit as a Committee of the Whole on March 4, 2014, at 3:00 p.m., to hold a public hearing on the proposal of the Mayor's Office of Housing and Community Development (acting on behalf of the Office of Community Investment and Infrastructure) to enter into a Ground Lease Agreement, for a term of 55 years commencing upon Board approval, for the purpose of developing housing for very low-income senior households, located at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carol Avenue Senior Homes, LP, a California limited partnership, pursuant to the provisions of California Health and Safety Code, Section 33433, Community Redevelopment Law.

**Motion No.** M14-015

**APPROVED**

**140110** **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

**Motion No.** M14-016

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Severed from the For Adoption Without Committee Reference Agenda

*Supervisor Cohen requested that File No. 140069 be severed so that it may be considered separately.*

**140069** **[Supporting Senate Bill 837 - Kindergarten Readiness Act]**

**Sponsors: Cohen; Campos**

Resolution expressing support for Senate Bill 837, the Kindergarten Readiness Act.

**REFERRED to the Neighborhood Services and Safety Committee**

*Supervisor Avalos requested that File No. 140105 be severed so that it may be considered separately.*

140105 **[Urging Temporary Protected Status for the Philippines]**

**Sponsors: Avalos; Chiu, Campos and Mar**

Resolution urging the Secretary of State and the United States Department of Homeland Security to grant temporary protected status to the Philippines in order to support the recovery effort in the aftermath of Super Typhoon Haiyan.

*Supervisors Campos and Mar requested to be added as co-sponsors.*

**Resolution No.** 047-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

# LEGISLATION INTRODUCED AT ROLL CALL

## Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## Ordinances

**131063** **[Planning and Administrative Codes - Construction of In-Law Units in Existing Residential Buildings or Auxiliary Structures on the Same Lot; Rent Control]**

**Sponsors: Wiener; Cohen**

Ordinance amending the Planning Code to allow the construction of an additional dwelling unit or units within the existing envelope of a residential building or auxiliary structure on the same lot (In-Law Units) on any parcel in the Castro Street Neighborhood Commercial District and within 1,750 feet of the District boundaries, excluding any lot within 500 feet of Block No. 2623, Lot Nos. 116 through 154; and authorizing the Zoning Administrator to waive density and other Planning Code requirements in order to create the In-Law Units; amending the Administrative Code, to provide that an In-Law Unit constructed with a waiver of Code requirements shall be subject to the provisions of the San Francisco Residential Rent Stabilization and Arbitration Ordinance if the existing building , or any existing dwelling unit, is already subject to the Rent Ordinance; making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and directing the Clerk to send a copy of this Ordinance to the California Department of Housing and Community Development, in accordance with State law.

10/29/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/28/2013.

11/12/13; REFERRED TO DEPARTMENT.

11/12/13; RESPONSE RECEIVED.

02/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

131148 **[Planning, Building, Administrative Codes - Legalization of Dwelling Units Installed Without a Permit]**

**Sponsors: Chiu; Wiener**

Ordinance amending the Planning and Building Codes to provide a process for granting legal status to existing dwelling units constructed without the required permits, temporarily suspending the code enforcement process for units in the process of receiving legal status, and prohibiting units from being legalized under the provisions of this ordinance if there have been no-fault evictions; amending the Administrative Code to prohibit the costs of legalization from being passed through to the tenant; affirming the Planning Department's California Environmental Quality Act determination, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and directing the Clerk of the Board of Supervisors to submit this Ordinance to the California Department of Housing and Community Development in accordance with State law.

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/26/2013.

12/20/13; REFERRED TO DEPARTMENT.

02/07/14; RESPONSE RECEIVED.

02/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

131207 **[Environment Code - Bottled Water]**

**Sponsors: Chiu; Mar**

Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

12/17/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/16/2014.

01/06/14; REFERRED TO DEPARTMENT.

01/10/14; RESPONSE RECEIVED.

02/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140120 **[Building Code - Earthquake Performance Evaluation of Private School Structures]**

**Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee**

Ordinance amending the Building Code to require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, and assessing a fee for Building Department review and related evaluation processing; requiring that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission upon final passage.

02/11/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/14/2014.

**140121** **[Appropriation - General Fund Reserve - Homeless Outreach Services - $1,387,500 - FY2013-2014]**

**Sponsors: Farrell; Breed and Campos**

Ordinance appropriating $1,387,500 of General Fund Reserves to the Department of Public Health to provide homeless outreach services in FY2013-2014.
(Fiscal Impact.)

02/11/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/13/2014.

**140122** **[Planning, Building Codes - Fee Waiver Program - Small Business Month, May 2014]**

**Sponsor: Tang**

Ordinance recognizing Small Business Month in May 2014; amending the Planning Code and the Building Code to retroactively waive fees for the month of May for certain façade improvements; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including environmental findings and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/11/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 3/14/2014.

## Resolutions

**140123** **[Urging State Community College Chancellor Brice Harris to Restore City College of San Francisco's Duly Elected Board of Trustees]**

**Sponsors: Campos; Mar, Avalos, Wiener, Yee, Kim, Chiu and Cohen**

Resolution urging State Community College Chancellor Brice Harris to restore the voice of San Francisco voters and bring democratic decision-making, transparency, and public accountability back to City College of San Francisco by restoring the duly elected Board of Trustees.

02/11/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140124** **[Authorizing Expenditures - South of Market Community Stabilization Fund - $105,000]**

**Sponsor: Kim**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend South of Market Community Stabilization Fund dollars in the amount of $105,000 for capacity building and tenant counseling services.

02/11/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140125** **[Apply for Grants - California Department of Resources Recycling and Recovery Funds]**

**Sponsor: Mayor**

Resolution authorizing the Department of the Environment to submit applications for a used oil recycling competitive grant, and all grants offered by California Department of Resources Recycling and Recovery, for the purpose of advancing zero waste, and safely managing and reducing household hazardous waste and used motor oil.

02/11/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140126** **[Departmental Study of Waterfront Ballot Initiative]**

**Sponsor: Wiener**

Resolution referring the initiative measure known as the "Waterfront Height Limit Right to Vote Initiative," to the Port of San Francisco, Planning Department, City Administrator, Controller, Office of Economic and Workforce Development, Municipal Transportation Agency, and Mayor's Office of Housing and Community Development, to report on the measure's potential impacts, if passed, on the City's future housing (including affordable housing), infrastructure, transportation, and open space needs, as well as the City's tax base.

02/11/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140127** **[Landmark Designation Nomination - Tree Located at 3066 Market Street]**

**Sponsor: Wiener**

Resolution of intent initiating the nomination of the Sequoiadendron giganteum tree at 3066 Market Street for landmark tree status pursuant to Public Works Code, Section 810(b), acknowledging the temporary designation of such tree pursuant to Public Works Code, Section 810(d), and authorizing other official acts in furtherance of this Resolution.

02/11/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## Motions

**140128** **[Setting the 2014 Budget and Legislative Analyst Services Audit Plan]**

**Sponsors: Breed; Cohen**

Motion directing the Budget and Legislative Analyst to conduct two performance audits in 2014 and setting the priority as follows: 1) the Fire Department's allocation of resources to emergency medical services; and 2) the Fire Department's administrative staffing and strategic planning; and removing from the Budget and Legislative Analyst's audit plan the Department of Public Health's compliance with privacy and security regulations as defined by the Health Information Technology for Economic and Clinical Health Act and Health Insurance Portability and Accountability Act, previously approved by the Board of Supervisors.

02/11/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140129** **[Closed Session - Update on Labor Negotiations]**

**Sponsor: Chiu**

Motion that the Board of Supervisors convene in closed session on February 25, 2014, with the Mayor's Office and the Department of Human Resources pursuant to San Francisco Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

02/11/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**140130** **[Suspending Board Rule 3.26.1 and Amending Board Rule 3.31 Extending the Joint City and School District Select Committee through March 1, 2015, and Setting Monthly Meetings]**

**Sponsors: Kim; Mar**

Motion suspending the Board of Supervisors' Rules of Order 3.26.1 to consider, without reference, an amendment to Board Rule 3.31 to extend the term of the Joint City and School District Select Committee through March 1, 2015; ordering the City and School District Select Committee meetings of the Board of Supervisors be held on the third Thursdays of each month at 3:30 p.m. in the Board of Supervisors' Chamber.

02/11/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

**140131** **[Hearing - Department of Housing and Urban Development's Rental Assistance Demonstration Program for Public Housing]**

**Sponsors: Breed; Avalos and Cohen**

Hearing directed to the Housing Authority and Mayor's Office of Housing and Community Development to discuss the US Department of Housing and Urban Development's recent approval of a Rental Assistance Demonstration (RAD) program for public housing in San Francisco, specifically: How will RAD impact the 4,500 public housing units involved? What is the impetus for, and the advantages and disadvantages of, the public-private approach? What does this approval mean for current and future residents? What are the maintenance plans for these developments? How will these changes improve the quality of life and job opportunities for San Francisco's public housing residents?

02/11/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140132** **[Hearing - City Funded Mental Health Services and Spending]**

**Sponsor: Farrell**

Hearing on the mental health services that are funded and implemented by the City and County of San Francisco.

02/11/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

## PROPOSED ORDINANCE

140084 **[Administrative Code - Jail Inmate Health Insurance Enrollment]**
Ordinance amending the Administrative Code, to designate the Sheriff as the entity to assist county jail inmates with submitting an application for a health insurance affordability program consistent with federal requirements. (Sheriff)

01/28/14; RECEIVED FROM DEPARTMENT.

02/11/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 3/13/2014.

## PROPOSED RESOLUTIONS

140088 **[Settlement of Grievance - SEIU, Local 1021 - $171,651.10]**
Resolution approving the settlement of Grievance No. 82-12-2540 filed by SEIU, Local 1021, against the City and County of San Francisco for $171,651.10, on August 1, 2012. (City Attorney's Office)

01/29/14; RECEIVED FROM DEPARTMENT.

02/11/14; RECEIVED AND ASSIGNED to Rules Committee.

140089 **[Lease Agreement - Southwest Airlines, Co. - Airport Cargo Building 606 - $1,313,761]**
Resolution approving and authorizing the execution of a Lease Agreement for Cargo Building 606, and Related Areas on Plot 9B, No. L13-0257, between Southwest Airlines, Co., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum rent amount of $1,313,761 for a term of five years, to commence upon Board approval. (Airport Commission) (Fiscal Impact.)

01/31/14; RECEIVED FROM DEPARTMENT.

02/11/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140092** **[Agreement - Itron, Inc. - Meter Reading and Forecasting Software Maintenance - $171,000]**

Resolution authorizing the General Manager of the Public Utilities Commission to enter into an agreement with Itron, Inc., for meter reading and forecasting software maintenance, for a term of five and one-half years, from March 30, 2014, to September 30, 2019, in the amount of $171,000 pursuant to Charter, Section 9.118(b). (Public Utilities Commission)
(Fiscal Impact)

02/03/14; RECEIVED FROM DEPARTMENT.

02/11/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140093** **[Contract Amendment - San Francisco AutoReturn Towing - $147,928.28 Monthly]**

Resolution approving the First Amendment to the restated and amended Towing Agreement and Property Use License for towing, storage and disposal of abandoned and illegally parked vehicles, between the Municipal Transportation Agency and TEGSCO, LLC, dba San Francisco AutoReturn, for a per-month rent amount of $147,928.28 for a period to commence upon Board approval to July 31, 2015. (Municipal Transportation Agency)
(Fiscal Impact.)

02/03/14; RECEIVED FROM DEPARTMENT.

02/11/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## Request Granted

*From: Supervisor Chiu*
*To: City Attorney*
*Requesting/Inquiring: Requesting the City Attorney draft legislation creating a Tenant Right of First Refusal.*

## ADJOURNMENT

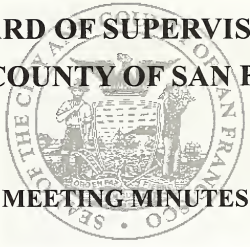
*There being no further business, the Board adjourned at the hour of 3:52 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on March 18, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO



# MEETING MINUTES

**Tuesday, February 25, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

GOVERNMENT
DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO
PUBLIC LIBRARY

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee** | Wednesday |
| Supervisors Farrell, Mar, Avalos | 1:00 PM |
| **City and School District Select Committee** | 4th Thursday |
| Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns | 3:30 PM |
| **Government Audit and Oversight Committee** | 2nd and 4th Thursday |
| Supervisors Breed, Tang, Chiu | 10:30 AM |
| **Land Use and Economic Development Committee** | Monday |
| Supervisors Wiener, Kim, Cohen | 1:30 PM |
| **Neighborhood Services and Safety Committee** | 1st and 3rd Thursday |
| Supervisors Campos, Mar, Yee | 10:00 AM |
| **Rules Committee** | 1st and 3rd Thursday |
| Supervisors Yee, Tang, Campos | 2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:04 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

**Supervisor Mar, seconded by Supervisor Cohen, moved to approve the Board Meeting Minutes of January 7, 2014, and January 14, 2014. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Land Use and Economic Development Committee

130938 **[Planning Code - Transit Impact Development Fee Exemptions]**

**Sponsor: Wiener**

Ordinance amending the Planning Code to revise deadlines for certain Transit Impact Development Fee (TIDF) exemptions; eliminate project-specific references in exemptions applicable to redevelopment areas, and make such exemptions dependent on the terms of the controlling development agreement, redevelopment plan, interagency agreement or other contract entered into by the City; require that the TIDF be calculated based on the rate in effect and the time of issuance of the first construction document; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 018-14

**FINALLY PASSED**

**140029** **[Resolution of Intent - Street Vacation - Hunters View Phase 2 - West Point Road]**
Resolution declaring the intention of the Board of Supervisors to vacate a portion of West Point Road and various public service easements in the Hunters View Phase 2 Project and setting a hearing date of March 18, 2014, for all persons interested in the proposed vacation of said street areas. (Public Works Department)

**Resolution No.** 051-14

**ADOPTED**

## Recommendations of the Rules Committee

**140025** **[Appointments, SRO Task Force - Dan Jordan, Amelia Rudberg, Joshua Vining, Angela Chu, and Nicolette Alexander]**
Motion appointing Dan Jordan, Amelia Rudberg (residency requirement waived), Joshua Vining (residency requirement waived), Angela Chu, and Nicolette Alexander, terms ending December 31, 2015, to the SRO Task Force. (Clerk of the Board)

**Motion No.** M14-017

**APPROVED**

**140085** **[Appointment, Developmental Disabilities Area Board V - Donna Adkins]**
Motion appointing Donna Adkins, term ending December 31, 2016, to the Developmental Disabilities Area Board V. (Clerk of the Board)

**Motion No.** M14-018

**APPROVED**

**140086** **[Appointments, Workforce Investment Community Advisory Committee - Lai Yu Lily Wong, Winnie Yu, and Dion-Jay Brookter]**
Motion appointing Lai Yu Lily Wong, Winnie Yu, and Dion-Jay Brookter (residency requirement waived), terms ending February 19, 2016, to the Workforce Investment Community Advisory Committee. (Clerk of the Board)

**Motion No.** M14-019

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

*There were no items.*

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

131147 **[Accept and Expend Grant - Juvenile Accountability Block Grant and Amendment to the Annual Salary Ordinance - FY2013-2014 - $94,132]**

**Sponsor: Campos**

Ordinance retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of $94,132 from the Board of State and Community Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant; and amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-2014) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.45 FTE) at the Public Defender's Office, for the period of July 1, 2013, through June 30, 2014.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140014 **[Apply for, Accept, and Expend Grant - Green Connections: Oakdale Avenue - Not to Exceed $975,659]**

**Sponsor: Cohen**

Resolution approving application for grant funds for the Urban Greening Grant Program entitled "Green Connections: Oakdale Avenue," under the Safe Drinking Water, Water Quality and Supply, Flood Control, River, and Coastal Protection Bond Act of 2006, in an amount not to exceed $975,659 for the period of July 1, 2014, through June 30, 2016.
(Fiscal Impact)

**Supervisor Cohen, seconded by Supervisor Farrell, moved that this Resolution be AMENDED on Page 1, Line 1, by adding 'Accept and Expend'; Line 6, by adding 'for the period of July 1, 2014, through June 4, 2016'; Page 2, Line 21, by adding 'FURTHER RESOLVED, That the Board authorizes the Planning Department to accept and expend the grant funds, if awarded, in a manner consistent with the application and this Resolution.' The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**Resolution No.** 055-14

**ADOPTED AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140050 **[Public Auction - Tax-Defaulted Real Property]**

Resolution authorizing the Tax Collector to sell certain parcels of tax-defaulted real property at public auction. (Treasurer-Tax Collector)

**Resolution No.** 056-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Referred Without Recommendation from the Budget and Finance Committee

**131163** **[Term Sheet Endorsement - Pacific Gas and Electric Company ZA-1 Embarcadero-Potrero 230kV Transmission Project]**

Resolution endorsing the Pacific Gas and Electric Company (PG&E) ZA-1 Embarcadero-Potrero 230kV Transmission Project Revised Term Sheet among the Port Commission, the City and County of San Francisco, and PG&E. (Port)
(Fiscal Impact)

*Privilege of the floor was granted to Brad Benson (Port) who responded to questions raised throughout the discussion.*

**Supervisor Avalos, seconded by Supervisor Mar, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**Resolution No.** 054-14

**ADOPTED AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Government Audit and Oversight Committee

**131206** **[Police Code - Expanding Use of Unclaimed Personal Property and Bicycles]**

**Sponsors: Avalos; Campos, Chiu, Mar and Yee**

Ordinance amending the Police Code to make unclaimed personal property, including unclaimed bicycles, worth $500 or less available to the Human Services Agency for use in programs designed to prevent juvenile delinquency and programs to benefit low-income and transit-challenged residents.

*Supervisors Mar and Yee requested to be added as co-sponsors.*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140100** **[Agreement - Owners' Association for Administration/Management of Top of Broadway Community Benefit District]**

**Sponsor: Chiu**

Resolution approving an agreement with the nonprofit Owners' Association for Administration/Management of the established property-based Community Benefit District known as the "Top of Broadway Community Benefit District," pursuant to California Streets and Highways Code, Section 36651, for a period commencing upon Board approval, to June 30, 2021.

**Resolution No.** 052-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Land Use and Economic Development Committee

**131178** **[Planning Code - Article 11 Designation of 660 California Street]**

**Sponsor: Chiu**

Ordinance amending the Planning Code to change the designation of 660 California Street, Assessor's Block No. 0241, Lot No. 011 (a.k.a. the Old St. Mary's Rectory), from Category V (Unrated) to Category III (Contributory) under Planning Code, Article 11; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140033** **[Authorizing Levy and Collection of Special Taxes Within City and County of San Francisco Special Tax District No. 2009-1 - Seismic Safety Retrofits]**

**Sponsors: Mayor; Chiu, Tang and Wiener**

Ordinance amending Ordinance No. 16-10 to authorize the levy and collection of Special Taxes within City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) for seismic safety retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Neighborhood Services and Safety Committee

**131062** **[Police Code - Reporting Information About Employees of Privately Owned Parking Garages and Parking Lots]**

**Sponsors: Wiener; Cohen, Campos and Mar**

Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in privately owned parking lots or parking garages.

**Supervisor Kim, seconded by Supervisor Breed, moved that this Ordinance be AMENDED on Page 2, Line 6, by adding 'provided that the applicant shall not inquire about or acquire information in violation of Police Code, Article 49'; Page 3, Line 22, by adding 'provided that the applicant shall not inquire about or acquire information in violation of Police Code, Article 49'; Line 23, by adding 'the applicant knows'. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Rules Committee

**130402** **[Health, Business and Tax Regulations Codes - Safe Body Art]**

Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Supervisors Avalos and Mar Excused from Voting

**Supervisor Kim, seconded by Supervisor Campos, moved that Supervisors Avalos and Mar be excused from voting on File No. 140087. The motion carried by the following vote:**

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 2 - Avalos, Mar

**140087** **[Appointments, San Francisco Local Agency Formation Commission - Supervisors John Avalos and Eric Mar]**

Motion appointing Supervisor John Avalos, as a member, and Supervisor Eric Mar, as an alternate member, terms ending February 4, 2018, to the San Francisco Local Agency Formation Commission. (Clerk of the Board)

**Motion No.** M14-020

**APPROVED by the following vote:**

Ayes: 9 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Excused: 2 - Avalos, Mar

## SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

### Privilege of the Floor

**Supervisor Breed, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*BLACK HISTORY MONTH*
*Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Black History Month, their accomplishments, and their continued community support, as referenced below:*

*Supervisor Avalos recognized Jackie Battle (Minnie and Lovie Ward Recreation Center); and*
*Supervisor Breed recognized Adrian Williams; and*
*Supervisor Campos recognized Kim-Shreee Maufus (School Board Commissioner); and*
*Supervisor Chiu recognized Officer Carl Payne (Central Station, Retired Police Officer); and*
*Supervisor Cohen recognized Shekinah Christian Fellowship Volunteers (Charles Drew Elementary School); and*
*Supervisor Farrell recognized Father Kenneth Westray; and*
*Supervisor Kim recognized Joe Wilson (Community Building Program, Hospitality House); and*
*Supervisor Mar recognized Charles M. Collins (YMCA President and CEO); and*
*Supervisor Tang recognized Major Rosie Price Montgomery (JROTC Instructor, Lincoln High School); and*
*Supervisor Wiener recognized Gwyneth Borden; and*
*Supervisor Yee recognized Bridget Miller.*

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Male Speaker; expressed various religious concerns.*
*Ray Hartz (San Francisco Open Government); expressed concerns relating to open government, City Librarian, and statements of economic interest forms.*
*Male Speaker; expressed concerns relating to community bulletin boards, drugs, and homeless housing.*
*Christopher Dahl; expressed concerns relating to decay of common bonds.*
*Espinola Jackson (Bayview Hunter's Point); expressed concerns relating to affordable housing.*
*Male Speaker; expressed concerns relating to renaming of Bay Bridge.*
*Male Speaker; expressed concerns relating to mood gym, health quality, and obesity.*
*Emil Lawrence; expressed concerns relating to demolition of Candlestick Park and job applications/registry.*
*Peter Warfield; expressed concerns relating to the SF Public Library and removal of Bernal Library murals.*
*Edmund Larry Juizye, expressed various concerns.*

## CLOSED SESSION

## CONFERENCE WITH LABOR NEGOTIATORS

**140129** **[Closed Session - Update on Labor Negotiations]**

**Sponsor: Chiu**

Motion that the Board of Supervisors convene in closed session on February 25, 2014, with the Mayor's Office and the Department of Human Resources pursuant to San Francisco Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

*The President inquired as to whether any member of the public wished to address the Board regarding the proposed continuance to convene in closed session on March 4, 2014. There were no speakers. The President declared public comment closed.*

**Supervisor Farrell, seconded by Supervisor Campos, AMENDED on Page 1, Line 3, by changing 'February 25, 2014' to 'March 4, 2014'; Line 10, by changing 'February 25, 2014' to 'March 4, 2014.' The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion that the Board of Supervisors convene in closed session on March 4, 2014, with the Mayor's Office and the Department of Human Resources pursuant to San Francisco Administrative Code , Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

**Supervisor Mar, seconded by Supervisor Farrell, moved that this Motion be CONTINUED AS AMENDED to March 4, 2014. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**140125** **[Apply for Grants - California Department of Resources Recycling and Recovery Funds]**

**Sponsor: Mayor**

Resolution authorizing the Department of the Environment to submit applications for a used oil recycling competitive grant, and all grants offered by California Department of Resources Recycling and Recovery, for the purpose of advancing zero waste, and safely managing and reducing household hazardous waste and used motor oil.

**Resolution No.** 057-14

**ADOPTED**

140130 **[Suspending Board Rule 3.26.1 and Amending Board Rule 3.31 Extending the Joint City and School District Select Committee through March 1, 2015, and Setting Monthly Meetings]**

**Sponsors: Kim; Mar**

Motion suspending the Board of Supervisors' Rules of Order 3.26.1 to consider, without reference, an amendment to Board Rule 3.31 to extend the term of the Joint City and School District Select Committee through March 1, 2015; ordering the City and School District Select Committee meetings of the Board of Supervisors be held on the third Thursdays of each month at 3:30 p.m. in the Board of Supervisors' Chamber.

*Supervisor Mar requested to be added as a co-sponsor.*

**Motion No.** M14-021

**APPROVED**

140138 **[Final Map 7620 - 2558 Mission Street]**

Motion approving Final Map 7620, a two-lot Airspace Subdivision, being also 114 residential units within Parcel A, and three commercial units within Parcel B, a Mixed-Use Condominium Project, located at 2558 Mission Street, being a subdivision of Assessor's Block No. 3616, Lot No. 084, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-022

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Severed from the For Adoption Without Committee Reference Agenda

*Supervisor Wiener requested that File No. 140129 be severed so that it may be considered separately.*

**140126** **[Departmental Study of Waterfront Ballot Initiative]**

**Sponsor: Wiener**

Resolution referring the initiative measure known as the "Waterfront Height Limit Right to Vote Initiative," to the Port of San Francisco, Planning Department, City Administrator, Controller, Office of Economic and Workforce Development, Municipal Transportation Agency, and Mayor's Office of Housing and Community Development, to report on the measure's potential impacts, if passed, on the City's future housing (including affordable housing), infrastructure, transportation, and open space needs, as well as the City's tax base.

*Privilege of the floor was granted to Jon Givner, Deputy City Attorney, who responded to questions raised throughout the discussion.*

*Supervisor Cohen, seconded by Supervisor Wiener, moved that this Resolution be REFERRED to the Land Use and Economic Development Committee. Supervisor Cohen withdrew the motion.*

*Supervisor Wiener, seconded by Supervisor Breed, moved that this Resolution be REFERRED to the Land Use and Economic Development Committee. The motion FAILED by the following vote:*

*Ayes: 4 - Breed, Farrell, Tang, Wiener*
*Noes: 7 - Avalos, Campos, Chiu, Cohen, Kim, Mar, Yee*

**Supervisor Campos, seconded by Supervisor Farrell, moved that this Resolution be REFERRED to the Rules Committee. The motion carried by the following vote:**

Ayes: 8 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Yee
Noes: 3 - Breed, Tang, Wiener

## IMPERATIVE AGENDA

*[Serious Injury Finding]*
*Motion that the Board find that for the resolution(s) being considered at this time the need to take action is so imperative as to threaten serious injury to the public interest if action is deferred to a later meeting."*

**Supervisor Campos, seconded by Supervisor Breed, moved ADOPTION of the serious injury finding. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*[Brown Act Finding]*
*Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.*

**Supervisor Campos, seconded by Supervisor Breed, moved ADOPTION of the commendatory finding. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140149 **[Urging Arizona Governor Jan Brewer to Veto Arizona Senate Bill 1062]**
**Sponsors: Campos; Wiener, Mar, Kim, Cohen, Avalos, Breed, Chiu, Tang, Farrell and Yee**
Resolution denouncing Arizona Senate Bill (SB) 1062, a law that permits discrimination against the Lesbian, Gay, Bisexual, and Transgender community under the guise of religion, urging Governor Jan Brewer to veto SB1062, expanding the boycott of the State of Arizona and Arizona-based businesses if SB1062 is passed, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging SB1062.

*The President inquired as to whether any member of the public wished to address the Board relating to File No. 140149. There were no speakers. The President declared public comment closed.*

**Resolution No.** 053-14

**Supervisor Campos, seconded by Supervisor Breed, moved that this Resolution be ADOPTED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

### Ordinances

140150 **[Administrative Code - Expansion of First Source Hiring Program]**
**Sponsors: Avalos; Breed, Campos, Chiu, Kim, Mar, Wiener and Yee**
Ordinance amending the Administrative Code to add First Source Hiring requirements for developers applying for permits for commercial or residential projects to disclose to the City anticipated entry and apprentice level positions for development projects, anticipated local hires, and anticipated wages; and agree to hiring and retention goals for apprentice level positions.

02/25/14; ASSIGNED to Budget and Finance Sub-Committee.

140151 **[Administrative Code - Local Hire and Prevailing Wages for Construction Projects on City-Owned Property]**
**Sponsors: Avalos; Breed, Campos, Chiu, Kim, Mar, Wiener and Yee**
Ordinance amending the Administrative Code to provide that the City's Local Hiring Policy and Payment of Prevailing Wages apply to construction projects on property owned by the City and County of San Francisco.

02/25/14; ASSIGNED to Budget and Finance Sub-Committee.

**140173** **[Street Vacation Order - Hunters Point Shipyard Phase II Redevelopment Plans - Candlestick Point]**

**Sponsor: Cohen**

Ordinance ordering the vacation of portions of streets along with public service easements that may exist within the Hunters Point Shipyard Phase II Redevelopment Plan area, generally bounded the 1948 Bulkhead Line to the north, the 1941 Bulkhead Line to the east, Bancroft Avenue to the south, and Griffith Street to the west, including submerged areas; ordering the vacation of portions of streets along with public service easements that may exist within the Candlestick Point Redevelopment Plan area, generally bounded by Underwood Avenue, Arelious Walker Drive, Gilman Avenue, Donahue Street, Carroll Avenue, Alvord Street, Fitzgerald Avenue, the City and County of San Francisco County Line, Harney Way, Ingerson Avenue, and Hawes Street, including submerged areas; ordering the conditional vacation of portions of Griffith Street, Nichols Way, Cameron Way, Doublerock Street, Giants Drive, Hunters Point Expressway, Jamestown Avenue, Gilman Avenue, and Crisp Road for various purposes; reserving various easement rights in favor of the City and third party utilities, subject to conditions specified in this Ordinance; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Redevelopment Plans and the City's General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance.

02/25/14; ASSIGNED to Land Use and Economic Development Committee.

## Resolutions

**140153** **[Emergency Work - Midtown Park Apartments - $750,000]**

**Sponsor: Breed**

Resolution retroactively authorizing the Director of the Mayor's Office of Housing and Community Development to continue to take all necessary measures to protect the health and safety of the residents of Midtown Park Apartments by performing emergency work to the roofs, and by remediating mold and mildew from units, for an amount not to exceed $750,000.

02/25/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140155** **[Commemorative Street Name Designation - "Vicki Mar Lane" - 100 Block of Turk Street]**

**Sponsors: Kim; Campos and Wiener**

Resolution adding the commemorative street name "Vicki Mar Lane" to the 100 Block of Turk Street in recognition of transgender performer and activist Vicki Marlane and her lasting legacy in the Tenderloin and throughout San Francisco.

02/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140156** **[Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 131120) That Would Establish the Broadway Alcohol Restricted Use District]**

**Sponsor: Chiu**

Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 131120) amending the Planning Code, by adding a new Section 789, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street; amending the Zoning Map, Sheet SU-02, to designate the Broadway Alcohol Restricted Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

02/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140157** **[Supporting Senate Bill 391 (DeSaulnier) - Establishing Permanent Funding Source for Affordable Housing Development]**

**Sponsors: Chiu; Mar, Kim, Campos, Avalos and Breed**

Resolution supporting Senate Bill 391, authored by Senator Mark DeSaulnier, to establish a permanent funding source for affordable housing development in California.

02/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140158** **[Problem Gambling Awareness Month - March 2014]**

**Sponsors: Mar; Avalos and Cohen**

Resolution declaring March 2014 as Problem Gambling Awareness Month in the City and County of San Francisco.

02/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140159** **[Supporting Senate Bill 1000 (Monning) - Sugar-Sweetened Beverage Safety Warning Act]**

**Sponsors: Mar; Wiener, Cohen, Chiu and Avalos**

Resolution supporting the Sugar-Sweetened Beverage Safety Warning Act, also known as Senate Bill 1000, authored by Senator Bill Monning, to make California the first state to require health warning labels to be placed on sugary drinks, including sodas, sports drinks, and energy drinks.

02/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140171** **[Resolution of Intent - Street Vacation - Hunters Point Shipyard Phase II Redevelopment Plans - Candlestick Point]**

**Sponsor: Cohen**

Resolution declaring the intent of the Board to order the vacation of portions of streets along with public service easements that may exist within the Hunters Point Shipyard Phase II Redevelopment Plan area, generally bounded the 1948 Bulkhead Line to the north, the 1941 Bulkhead Line to the east, Bancroft Avenue to the south, and Griffith Street to the west, including submerged areas; order the vacation of portions of streets along with public service easements that may exist within the Candlestick Point Redevelopment Plan area, generally bounded by Underwood Avenue, Arelious Walker Drive, Gilman Avenue, Donahue Street, Carroll Avenue, Alvord Street, Fitzgerald Avenue, the City and County of San Francisco County Line, Harney Way, Ingerson Avenue, and Hawes Street, including submerged areas; order the conditional vacation of portions of Griffith Street, Nichols Way, Cameron Way, Doublerock Street, Giants Drive, Hunters Point Expressway, Jamestown Avenue, Gilman Avenue, and Crisp Road for various purposes; reserve various easement rights in favor of the City and third party utilities, subject to conditions specified in this Ordinance; and setting a hearing date of April 8, 2014, for all persons interested in the proposed vacation of said street areas and public service easements.

02/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## Motions

**140147** **[Approving the 2014 Budget and Legislative Analyst Services Work Plan]**

**Sponsor: Breed**

Motion approving the Budget and Legislative Analyst services work plan for 2014; allocating hours for calendar year 2014; authorizing the Budget and Legislative Analyst to reallocate up to 20 percent of the hours between service categories based on Board of Supervisors service needs, and requiring Board of Supervisors approval of hours re-allocation greater than 20 percent; establishing performance goals; and setting a date for the 2014 annual performance evaluation of the Budget and Legislative Analyst Joint Venture Partnership.

02/25/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140160** **[Preparation of a Request for Qualifications to Broadcast Meetings of the Board of Supervisors - Not to Exceed $150,000]**

**Sponsors: Mar; Breed, Cohen, Campos and Avalos**

Motion directing the Clerk of the Board to prepare a request for qualifications to enable a radio station to broadcast weekly San Francisco Board of Supervisors meetings for an amount not to exceed $150,000.

02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140170** **[Authorizing Preparation of Proponent Ballot Argument and Rebuttal Ballot Argument for Submittal to the Voters at the June 3, 2014, Consolidated Statewide Direct Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2014, Consolidated Statewide Direct Primary Election. (Clerk of the Board)

02/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

140142 **[Hearing - Update on the 2012 Supplemental Appropriation to Fund a Credit Recovery Program for San Francisco Unified School District]**
**Sponsor: Kim**
Hearing to receive an update on the 2012 Supplemental Appropriation to fund a credit recovery program for San Francisco Unified School District (SFUSD) students at risk of not graduating in school year 2014-2015; and requesting SFUSD to present a progress update on how many students participated, current graduation rates, and how funding was spent.
02/25/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

140161 **[Hearing - Internal Review and Assessment of the City's First Source Hiring Program]**
**Sponsor: Avalos**
Hearing on the Office Economic Workforce Development internal review and assessment of the City 's First Source Hiring Program and recommendations for strengthening the City's local hiring program for end-use jobs.
02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140162 **[Hearing - Services for Victims of Violent Crimes, Including Domestic Violence, Whose Perpetrators are Directly Supervised by the Adult Probation Department]**
**Sponsor: Chiu**
Hearing to understand the needs for services for victims of violent crimes, including domestic violence, whose perpetrators are directly supervised by the Adult Probation Department.
02/25/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

140163 **[Hearing - Analysis of Cost Effective Strategies for Housing the Homeless]**
**Sponsor: Farrell**
Hearing on and an analysis of cost effective strategies for housing the homeless.
02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140164 **[Hearing - Evictions of the Homeless and Formerly Homeless from Publicly Funded Housing Units]**
**Sponsor: Farrell**
Hearing on evictions of the homeless and formerly homeless from publicly funded housing units.
02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140166 **[Hearing - Housing Ladder and the Role of the City in Housing the Homeless]**
**Sponsor: Farrell**
Hearing on the "housing ladder" and the role of the City in housing the homeless.
02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140167** **[Hearing - Services for Lesbian, Gay, Bisexual, and Transgender Individuals Experiencing Homelessness]**

**Sponsor: Farrell**

Hearing on services and solutions for lesbian, gay, bisexual, and transgender individuals who are experiencing homelessness.

02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140168** **[Hearing - Services and Solutions for Unaccompanied and Transitional-Aged Youth Experiencing Homelessness]**

**Sponsor: Farrell**

Hearing on services and solutions for unaccompanied and transitional-aged youth who are experiencing homelessness.

02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140169** **[Hearing - Services and Solutions for Veterans and Seniors Experiencing Homelessness]**

**Sponsor: Farrell**

Hearing on services and solutions for veterans and seniors who are experiencing homelessness.

02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140172** **[Hearing - Street Vacation Order - Hunters Point Shipyard Phase II Redevelopment Plans - Candlestick Point]**

Hearing of persons interested in or objecting to the Ordinance ordering the vacation of portions of streets along with public service easements that may exist within the Hunters Point Shipyard Phase II Redevelopment Plan area, generally bounded the 1948 Bulkhead Line to the north, the 1941 Bulkhead Line to the east, Bancroft Avenue to the south, and Griffith Street to the west, including submerged areas; ordering the vacation of portions of streets along with public service easements that may exist within the Candlestick Point Redevelopment Plan area, generally bounded by Underwood Avenue, Arelious Walker Drive, Gilman Avenue, Donahue Street, Carroll Avenue, Alvord Street, Fitzgerald Avenue, the City and County of San Francisco County Line, Harney Way, Ingerson Avenue, and Hawes Street, including submerged areas; ordering the conditional vacation of portions of Griffith Street, Nichols Way, Cameron Way, Doublerock Street, Giants Drive, Hunters Point Expressway, Jamestown Avenue, Gilman Avenue, and Crisp Road for various purposes; reserving various easement rights in favor of the City and third party utilities, subject to conditions specified in this Ordinance; adopting findings under the California Environmental Quality Act; adopting findings that the vacations are consistent with the Redevelopment Plans and the City's General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing actions in furtherance of this Ordinance. (Clerk of the Board)

02/25/14; RECEIVED AND ASSIGNED to Board of Supervisors.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

## PROPOSED ORDINANCES

**140114** **[Settlement of Lawsuit - State Farm Insurance Company - $115,000]**
Ordinance authorizing settlement of the lawsuit filed by State Farm Insurance Company against the City and County of San Francisco for $115,000; the lawsuit was filed on July 1, 2013, in Superior Court of California, County of San Francisco, Case No. CGC-13-532539; entitled State Farm General Insurance Company, v. City and County of San Francisco, et al. (City Attorney's Office)

02/07/14; RECEIVED FROM DEPARTMENT.

02/25/14; RECEIVED AND ASSIGNED to Rules Committee.

**140118** **[Settlement of Lawsuit - Elevated Investors II, LLC - City to Receive $20,000]**
Ordinance authorizing settlement of the writ action filed by the City and County of San Francisco against Assessment Appeals Board No. 1, and Elevated Investors II, LLC, as the real party in interest, in exchange for a payment of $20,000 from Elevated Investors II LLC; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CPF-11-511651; entitled City and County of San Francisco, et al., v. Assessment Appeals Board No. 1, (Elevated Investors II, LLC). (City Attorney's Office)

02/10/14; RECEIVED FROM DEPARTMENT.

02/25/14; RECEIVED AND ASSIGNED to Rules Committee.

**140119** **[Settlement of Lawsuit - BRE/GLEN Portfolio Mezz 4, LLC - $512,581.50]**
Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4, LLC, against the City and County of San Francisco for $512,581.50; the lawsuit was filed on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled BRE/GLEN Portfolio Mezz 4, LLC v. City and County of San Francisco. (City Attorney's Office)

02/10/14; RECEIVED FROM DEPARTMENT.

02/25/14; RECEIVED AND ASSIGNED to Rules Committee.

**140137** **[Settlement of Lawsuit - Gabe Terry - $125,000]**
Ordinance authorizing settlement of the lawsuit filed by Gabe Terry and Elena Wong Terry against the City and County of San Francisco for $125,000; the lawsuit was filed on July 6, 2012, in San Francisco Superior Court, Case No. CGC-12-522132; entitled Gabe Terry, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

02/12/14, RECEIVED FROM DEPARTMENT.

02/25/14, RECEIVED AND ASSIGNED to Rules Committee

**140141** **[Administrative Code - Reauthorizing Reentry Council]**
Ordinance amending the Administrative Code to reauthorize the Reentry Council and revise the membership, powers and duties, and sunset date. (Sheriff)

02/14/14; RECEIVED FROM DEPARTMENT.

02/25/14; ASSIGNED UNDER 30 DAY RULE to Neighborhood Services and Safety Committee, expires on 3/25/2014.

## PROPOSED RESOLUTIONS

**140115** **[Settlement of Claim - John C. Lyons - $125,000]**
Resolution approving the settlement of the unlitigated claim filed by John C. Lyons against the City and County of San Francisco for $125,000; claim was filed on February 5, 2013. (City Attorney's Office)

02/07/14; RECEIVED FROM DEPARTMENT.

02/25/14; RECEIVED AND ASSIGNED to Rules Committee.

**140116** **[Settlement of Claim - California State Automobile Association Insurance Company - $56,330.42]**
Resolution approving the settlement of the unlitigated claim filed by California State Automobile Association Insurance Company against the City and County of San Francisco for $56,330.42; claim was filed on August 30, 2013. (City Attorney's Office)

02/07/14; RECEIVED FROM DEPARTMENT.

02/25/14; RECEIVED AND ASSIGNED to Rules Committee.

**140140** **[Emergency Contract - San Francisco General Hospital Building 80/90 Elevator Modernization - Not to Exceed $2,500,000]**
Resolution approving an emergency public work contract under Administrative Code, Section 6.60, to modernize and replace three elevators in San Francisco General Hospital Buildings 80 and 90 with a contract amount not to exceed $2,500,000. (Public Works Department)
(Fiscal Impact)

02/14/14; RECEIVED FROM DEPARTMENT.

02/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

## In Memoriams

*Blake Ross - Supervisor Wiener*
*Joshua Epple - Supervisor Wiener*
*Sister Barbi Mitzva - Supervisor Wiener*
*Doris J. Vernado - Supervisor Cohen*
*Gertrude Day-Dudley - Supervisor Cohen*
*Carla V. Hicks - Supervisor Cohen*
*Masha Zakheim - Supervisor Avalos*
*Marion Sullivan - Supervisor Breed*

## ADJOURNMENT

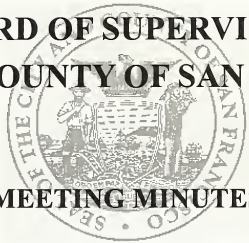
*There being no further business, the Board adjourned at the hour of 6:12 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 1, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO



# MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO PUBLIC LIBRARY

**Tuesday, March 4, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

***Angela Calvillo, Clerk of the Board***

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee**<br>Supervisors Farrell, Mar, Avalos, Breed, Wiener | Wednesday<br>1:00 PM |
| **Budget and Finance Sub-Committee**<br>Supervisors Farrell, Mar, Avalos | Wednesday<br>10:00 AM |
| **City and School District Select Committee**<br>Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns | 4th Thursday<br>3:30 PM |
| **Government Audit and Oversight Committee**<br>Supervisors Breed, Tang, Chiu | 2nd and 4th Thursday<br>10:30 AM |
| **Land Use and Economic Development Committee**<br>Supervisors Wiener, Kim, Cohen | Monday<br>1:30 PM |
| **Neighborhood Services and Safety Committee**<br>Supervisors Campos, Mar, Yee | 1st and 3rd Thursday<br>10:00 AM |
| **Rules Committee**<br>Supervisors Yee, Tang, Campos | 1st and 3rd Thursday<br>2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

**Supervisor Campos, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of January 28, 2014. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendation of the Budget and Finance Committee

131147 **[Accept and Expend Grant - Juvenile Accountability Block Grant and Amendment to the Annual Salary Ordinance - FY2013-2014 - $94,132]**

**Sponsor: Campos**

Ordinance retroactively authorizing the Public Defender's Office to accept and expend a grant in the amount of $94,132 from the Board of State and Community Corrections for the purpose of implementing local juvenile justice accountability measures through the Juvenile Accountability Block Grant; and amending Ordinance No. 160-13 (Annual Salary Ordinance, FY2013-2014) to reflect the addition of one Class 8177 Trial Attorney grant-funded position (0.45 FTE) at the Public Defender's Office, for the period of July 1, 2013, through June 30, 2014.

**Ordinance No.** 021-14

**FINALLY PASSED**

## Recommendation of the Government Audit and Oversight Committee

**131206** **[Police Code - Expanding Use of Unclaimed Personal Property and Bicycles]**
**Sponsors: Avalos; Campos, Chiu, Mar and Yee**
Ordinance amending the Police Code to make unclaimed personal property, including unclaimed bicycles, worth $500 or less available to the Human Services Agency for use in programs designed to prevent juvenile delinquency and programs to benefit low-income and transit-challenged residents.

**Ordinance No.** 023-14

**FINALLY PASSED**

## Recommendations of the Land Use and Economic Development Committee

**131178** **[Planning Code - Article 11 Designation of 660 California Street]**
**Sponsor: Chiu**
Ordinance amending the Planning Code to change the designation of 660 California Street, Assessor's Block No. 0241, Lot No. 011 (a.k.a. the Old St. Mary's Rectory), from Category V (Unrated) to Category III (Contributory) under Planning Code, Article 11; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

**Ordinance No.** 022-14

**FINALLY PASSED**

**140033** **[Authorizing Levy and Collection of Special Taxes Within City and County of San Francisco Special Tax District No. 2009-1 - Seismic Safety Retrofits]**
**Sponsors: Mayor; Chiu, Tang and Wiener**
Ordinance amending Ordinance No. 16-10 to authorize the levy and collection of Special Taxes within City and County of San Francisco Special Tax District No. 2009-1 (San Francisco Sustainable Financing) for seismic safety retrofits to certain privately owned buildings or real property; and directing the Clerk of the Board to publish a notice of public hearing and other matters related thereto.

**Ordinance No.** 024-14

**FINALLY PASSED**

## Recommendations of the Rules Committee

130402 **[Health, Business and Tax Regulations Codes - Safe Body Art]**
Ordinance amending the Health Code by repealing miscellaneous sections relating to tattooing and adding Article 40 to require body art practitioners to register with the Department of Public Health (DPH) and to annually renew registration, and to require permanent and temporary body art facilities to obtain and annually renew permits with DPH; amending the Business and Tax Regulations Code by adding fees relating to body art permits and licenses; and making environmental findings. (Public Health Department)

**Ordinance No.** 019-14

**FINALLY PASSED**

131237 **[Settlement of Claim - Rajnikant T. Desai and Helen A. Desai - $72,156.71]**
Resolution approving the settlement of the unlitigated claim filed by Rajnikant T. Desai and Helen A. Desai against the City and County of San Francisco for $72,156.71; claim was filed on November 13, 2012. (City Attorney)

**Resolution No.** 064-14

**ADOPTED**

140048 **[Settlement of Claim - Jacqueline Mallorca - $45,000]**
Resolution approving the settlement of the unlitigated claim filed by Jacqueline Mallorca against the City and County of San Francisco for $45,000; claim was filed on September 9, 2013. (City Attorney)

**Resolution No.** 065-14

**ADOPTED**

140088 **[Settlement of Grievance - SEIU, Local 1021 - $171,651.10]**
Resolution approving the settlement of Grievance No. 82-12-2540 filed by SEIU, Local 1021, against the City and County of San Francisco for $171,651.10, on August 1, 2012. (City Attorney's Office)

**Resolution No.** 067-14

**ADOPTED**

140133 **[Appointment, San Francisco Health Authority - Brenda Yee]**
Motion appointing Brenda Yee, term ending January 15, 2017, to the San Francisco Health Authority. (Rules Committee)

**Motion No.** M14-023

**APPROVED**

**140134** **[Appointment, Graffiti Advisory Board - Dee Dee Workman]**
Motion appointing Dee Dee Workman, term ending April 10, 2015, to the Graffiti Advisory Board. (Rules Committee)

**Motion No.** M14-024

**APPROVED**

**140135** **[Appointment, Citizens' General Obligation Bond Oversight Committee - Michael Seville]**
Motion appointing Michael Seville, term expiring November 21, 2014, to the Citizens' General Obligation Bond Oversight Committee. (Rules Committee)

**Motion No.** M14-025

**APPROVED**

**140136** **[Appointments, Market and Octavia Community Advisory Committee - Krute Singa, Kenneth Wingard, Dennis Richards, and Jason Henderson]**
Motion appointing Krute Singa, Kenneth Wingard, Dennis Richards, and Jason Henderson, terms expiring on December 16, 2014, to the Market and Octavia Community Advisory Committee. (Rules Committee)

**Motion No.** M14-026

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Neighborhood Services and Safety Committee

**131062** **[Police Code - Reporting Information About Employees of Privately Owned Parking Garages and Parking Lots]**
**Sponsors: Wiener; Cohen, Campos and Mar**
Ordinance amending the Police Code to require applicants for commercial parking permits to provide the residential zip code, gender, and duration of employment for employees and other individuals working in privately owned parking lots or parking garages.

**Ordinance No.** 020-14

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

# NEW BUSINESS

## Recommendations of the Budget and Finance Committee

131218 **[Real Property Lease - Employees' Retirement System - 1145 Market Street - $15,645,100.01]**

**Sponsor: Cohen**

Resolution authorizing a 10-year Lease of 35,579 sq. ft. at 1145 Market Street for space for the San Francisco Employees' Retirement System from 1145 Market Street, LP, a California Limited Partnership for $113,727.50 monthly for an approximate total of $15,645,100.01 for the period of August 1, 2014, through July 31, 2024.
(Fiscal Impact)

*Privilege of the floor was granted to John Updike, Director of Real Estate, and Jay Huish, Executive Director of San Francisco Employees' Retirement System, who responded to questions raised throughout the discussion.*

**Resolution No.** 061-14

**ADOPTED by the following vote:**

Ayes: 7 - Avalos, Cohen, Farrell, Mar, Tang, Wiener, Yee
Noes: 4 - Breed, Campos, Chiu, Kim

131229 **[Contract - Sheriff's Department - Secure Reentry Program Facility - $4,195,576]**

Resolution authorizing the Sheriff's Department to enter into a contract with the California Department of Corrections and Rehabilitation (CDCR) to contract for, accept and expend up to $4,195,576 to establish the San Francisco County Secure Reentry Program Facility (SPRF) to house for up to 60 days state inmates that are scheduled to be released from state prison within 60 days or less to Post Release Community Supervision in San Francisco County. The Sheriff's Department will provide housing appropriate for program delivery. The Adult Probation Department will provide intensive, in-custody evidence-based reentry programming, which will address offenders' underlying criminogenic needs. The Sheriff's Department and Adult Probation Department shall jointly report to the State Legislature and CDCR on the implementation of this SPRF after a period of one, two and three years as part of this pilot program, to commence upon Board approval for a three-year term. The Sheriff's Department and Adult Probation will report annually to the Board of Supervisors and the Capital Planning Committee on the increase in the average daily inmate population. (Sheriff)

**Resolution No.** 058-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131236** **[Agreement - HDR Engineering, Inc. - Construction Management Services - $27,500,000]**

Resolution extending an agreement for an additional six months between the Public Utilities Commission and HDR Engineering, Inc., through December 29, 2014, and increasing the estimated cumulative contract amount to $27,500,000 for additional construction management services, pursuant to Charter, Section 9.118(b). (Public Utilities Commission)

**Resolution No.** 063-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140049** **[California Environmental Quality Act Findings - Peninsula Pipelines Seismic Upgrade Project - San Mateo County]**

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program, and a statement of overriding considerations related to the Peninsula Pipelines Seismic Upgrade Project in San Mateo County. (Public Utilities Commission)

**Resolution No.** 066-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**131222** **[Apply for Grant - BioDiversity Action Plan - $250,000]**

**Sponsor: Yee**

Resolution authorizing the Department of the Environment to apply for a $250,000 grant from the California Strategic Growth Council to create the Biodiversity Action Plan, for the period of July 1, 2014, through June 30, 2015.

**Resolution No.** 062-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Land Use and Economic Development Committee

**130999** **[Zoning Map - Transferable Development Right Sale Eligibility - 133-135 Golden Gate Avenue (St. Boniface Church and Rectory)]**

**Sponsor: Kim**

Ordinance amending the Planning Code, Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131059 **[Planning Code - Allowing Certain Non-Conforming Structures to be Rebuilt Under Certain Conditions]**

**Sponsors: Mayor; Chiu and Cohen**

Ordinance amending the Planning Code to allow non-conforming secondary structures in a C-3-R (Downtown Retail) Zoning District to be demolished and rebuilt to the prior non-conforming size under certain conditions; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Neighborhood Services and Safety Committee

130987 **[Liquor License - 1040 Hyde Street]**

Resolution determining that the issuance of a Type 42 on-sale beer and wine public premises license to Timothy Lee for Liquid Gold, LLC, located at 1040 Hyde Street (District 3), will serve the public convenience or necessity of the City and County of San Francisco in accordance with California Business and Professions Code, Section 23958.4, and recommending that the California Department of Alcoholic Beverage Control impose conditions on the issuance of the license. (Neighborhood Services and Safety Committee)

**Resolution No.** 060-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Rules Committee

130401 **[Health Code - Hazardous Materials]**

Ordinance amending the Health Code to require electronic applications for registration of hazardous materials and for underground storage tanks be filed through the California Environmental Reporting System, to eliminate the requirement that registration of hazardous materials plans include a program for reduction of hazardous materials, and to provide for fee adjustment; and making environmental findings. (Public Health Department)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130710 **[Terms of and Expansion of Scope - Existing Local Agency Formation Commission Positions]**

**Sponsors: Avalos; Campos and Mar**

Resolution amending the terms of the existing Local Agency Formation Commission (LAFCo) positions by expanding the scope of services for the Senior Program Officer; extending the term of employment additional three years through June 30, 2016; and utilizing the existing LAFCo budget to continue funding this position.

**Resolution No.** 059-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 3:00 P.M.

## Board of Supervisors Sitting as a Committee of the Whole

**140102** **[Hearing - Ground Lease - Successor Agency Land - 1751 Carroll Avenue - Bayview Senior Housing]**

Hearing of persons interested in or objecting to proposed Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, for a term of 55 years for the purpose of developing housing for very low-income senior households; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140103. Teresa Yanga (Mayor's Office of Housing) provided an overview of the project and responded to questions raised throughout the discussion. Edmund Juizye; Male Speaker; John Mburu Njoroge; Male Speaker; spoke in support of the ground lease. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

**140103** **[Ground Lease - Successor Agency Land - 1751 Carroll Avenue - Bayview Senior Housing]**

**Sponsor: Cohen**

Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute a lease of land at 1751 Carroll Avenue (Assessor's Block No. 5431A, Lot No. 042), with Carroll Avenue Senior Homes, LP, a California limited partnership, for a term of 55 years for the purpose of developing housing for very low-income senior households; adopting findings under the California Environmental Quality Act; and adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1.
(Fiscal Impact)

**Resolution No.** 068-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## COMMITTEE REPORTS

### Recommendation of the Government Audit and Oversight Committee

140128 **[Setting the 2014 Budget and Legislative Analyst Services Audit Plan]**
**Sponsors: Breed; Cohen**

Motion directing the Budget and Legislative Analyst to conduct two performance audits in 2014 and setting the priority as follows: 1) the Fire Department's allocation of resources to emergency medical services; and 2) the Fire Department's administrative staffing and strategic planning; and removing from the Budget and Legislative Analyst's audit plan the Department of Public Health's compliance with privacy and security regulations as defined by the Health Information Technology for Economic and Clinical Health Act and Health Insurance Portability and Accountability Act, previously approved by the Board of Supervisors.

**Motion No.** M14-027

**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Land Use and Economic Development Committee

**131207** **[Environment Code - Bottled Water]**
**Sponsors: Chiu; Mar, Kim and Cohen**
Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

*Supervisors Kim and Cohen requested to be added as co-sponsors.*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

## Privilege of the Floor

**Supervisor Avalos, seconded by Supervisor Cohen, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*WOMEN'S HISTORY MONTH*
*Nancy Kirshner-Rodriguez, President of the Commission on the Status of Women, provided opening remarks. Supervisors introduced, welcomed, and presented Certificates of Honor to individuals in recognition of Women's History Month, their accomplishments, and their continued community support as referenced below:*

*Supervisor Avalos recognized Reverend Glenda Hope; and*
*Supervisor Cohen recognized Olga Miranda; and*
*Supervisor Campos recognized Adrienne Verrilli.*
*Supervisor Wiener recognized Laura Thomas; and*
*Supervisor Yee recognized Kate Favetti; and*
*Supervisor Kim recognized Gum Gum Lee; and*
*Supervisor Breed recognized Sandy Mori; and*
*Supervisor Tang recognized Megan Agee; and*
*Supervisor Chiu recognized Kristie Fairchild; and*
*Supervisor Farrell recognized Robyn Thomas; and*
*Supervisor Mar recognized Sheila Tully.*

*Emily M. Murase, PhD, Executive Director of the Department on the Status of Women, provided closing remarks.*

*Supervisor Campos was noted absent at 4:46 p.m., and noted present at 4:56 p.m.*

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Christopher Dahl; expressed concerns relating to balance between calories and sweat.*
*Madeleine Savit; expressed concerns relating to Polk Street safety.*
*Emil Lawrence; expressed concerns relating to taxi businesses and bankruptcy.*
*Male Speaker; expressed concerns relating to proposed legislation on e-cigarettes.*
*Male Speaker; expressed concerns relating to renaming of the Bay Bridge.*
*Male Speaker; expressed various religious concerns.*
*Edmund Juizye; expressed various concerns relating to violence and support for zero tolerance.*
*Ray Ray; expressed various concerns.*
*John Mburu Njoroge; expressed concerns relating to Year 2000 (Y2K).*

## CLOSED SESSION

## CONFERENCE WITH LABOR NEGOTIATORS

140129 **[Closed Session - Update on Labor Negotiations]**
**Sponsor: Chiu**
Motion that the Board of Supervisors convene in closed session on March 4, 2014, with the Mayor's Office and the Department of Human Resources pursuant to San Francisco Administrative Code, Section 67.10(e), and California Government Code, Section 54957.6, regarding negotiations with labor unions representing City employees.

*The President inquired as to whether any member of the public wished to address the Board regarding convening in closed session. There were no speakers. The President declared public comment closed. The Board recessed at the hour of 5:40 p.m. to convene in closed session. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee.*

*Persons in attendance: Ben Rosenfield, Controller; Micki Callahan, Director of Department of Human Resources; Martin Gran, Director of Employee Relations; Kate Howard, Mayor's Budget Director; Jon Givner, Deputy City Attorney; Angela Calvillo, Clerk of the Board; Rick Caldeira, Legislative Deputy Director.*

*Matter was heard in closed session, no action was taken, and the hearing was filed. The Board reconvened at the hour of 6:15 p.m. The following Supervisors were noted present: Supervisors Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee.*

**Motion No.** M14-028

**Supervisor Breed, seconded by Supervisor Mar, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*[Elect Not to Disclose]*
*Motion that the Board finds that it is in the best interests of the public that the Board elect at this time not to disclose its closed session deliberations.*

**Supervisor Farrell, seconded by Supervisor Campos, moved not to disclose its Closed Session deliberations. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**140156** **[Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 131120) That Would Establish the Broadway Alcohol Restricted Use District]**
**Sponsor: Chiu**
Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 131120) amending the Planning Code, by adding a new Section 789, to establish the Broadway Alcohol Restricted Use District on parcels with street frontage on Broadway, between Columbus Avenue and Montgomery Street; amending the Zoning Map, Sheet SU-02, to designate the Broadway Alcohol Restricted Use District; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Resolution No.** 069-14

**ADOPTED**

**140157** **[Supporting Senate Bill 391 (DeSaulnier) - Establishing Permanent Funding Source for Affordable Housing Development]**
**Sponsors: Chiu; Mar, Kim, Campos, Avalos and Breed**
Resolution supporting Senate Bill 391, authored by Senator Mark DeSaulnier, to establish a permanent funding source for affordable housing development in California.

**Resolution No.** 070-14

**ADOPTED**

**140158** **[Problem Gambling Awareness Month - March 2014]**
**Sponsors: Mar; Avalos and Cohen**
Resolution declaring March 2014 as Problem Gambling Awareness Month in the City and County of San Francisco.

**Resolution No.** 071-14

**ADOPTED**

140159 **[Supporting Senate Bill 1000 (Monning) - Sugar-Sweetened Beverage Safety Warning Act]**

**Sponsors: Mar; Wiener, Cohen, Chiu and Avalos**

Resolution supporting the Sugar-Sweetened Beverage Safety Warning Act, also known as Senate Bill 1000, authored by Senator Bill Monning, to make California the first state to require health warning labels to be placed on sugary drinks, including sodas, sports drinks, and energy drinks.

**Resolution No.** 072-14

**ADOPTED**

**The foregoing items were acted upon by the following vote:**

Ayes: 10 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Absent: 1 - Breed

*Supervisor Breed was noted absent at 6:14 p.m. and noted present at 6:17 p.m.*

## Severed from the For Adoption Without Committee Reference Agenda

*Supervisor Chiu requested that File No. 140170 be severed so that it may be considered separately.*

140170 **[Authorizing Preparation of Proponent Ballot Argument and Rebuttal Ballot Argument for Submittal to the Voters at the June 3, 2014, Consolidated Statewide Direct Primary Election]**

Motion authorizing preparation of written Proponent and Opponent ballot arguments and rebuttal ballot arguments for submittal to the voters at the June 3, 2014, Consolidated Statewide Direct Primary Election. (Clerk of the Board)

**Supervisor Farrell, seconded by Supervisor Yee, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Motion authorizing preparation of written Proponent ballot argument and rebuttal ballot argument for submittal to the voters at the June 3, 2014, Consolidated Statewide Direct Primary Election. (Clerk of the Board)

**Motion No.** M14-029

**APPROVED AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

# LEGISLATION INTRODUCED AT ROLL CALL

## Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## Ordinances

**130374 [Campaign and Governmental Conduct Code - Lobbying Regulations]**
**Sponsor: Chiu**

Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of a lobbyist; expand the definition of an Officer of the City and County; expand the list of reportable lobbying contacts; hold employers and clients of lobbyists jointly and severally liable for violations of this Ordinance committed by the lobbyist on behalf of that employer or client; enhance lobbyist training, auditing, and record-keeping requirements; require public reports about City Officials who fail to file Statements of Economic Interest; require a public guide to local campaign finance laws; require permit consultants to register with the Ethics Commission and file regular disclosure reports; and require major developers to disclose donations to nonprofits active in the City and County of San Francisco.

04/23/13; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/23/2013.

05/02/13; REFERRED TO DEPARTMENT.

02/20/14; TRANSFERRED to Government Audit and Oversight Committee.

03/04/14; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

**131205 [Planning Code - Production, Distribution, and Repair Zoning]**
**Sponsors: Mayor; Cohen, Campos and Chiu**

Ordinance amending the Planning Code to address various revisions to Production, Distribution, and Repair (PDR), integrated PDR, and small enterprise workplace zoning controls to facilitate the establishment of such uses; amending the Administrative Code to delete requirements concerning reporting on integrated PDR, affirming the Planning Department's California Environmental Quality Act determination; and making Planning Code, Section 302, findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

12/17/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/16/2014.

01/06/14; REFERRED TO DEPARTMENT.

02/13/14; RESPONSE RECEIVED.

03/04/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140188 **[Appropriation - 2008 Clean and Safe Neighborhood Park Projects - $1,089,249.67 - FY2013-2014]**
**Sponsor: Mayor**
Ordinance appropriating $1,089,249.67 of surplus proceeds from the sale of General Obligation Bonds for completion of capital improvement projects included in the 2008 Clean and Safe Neighborhood Park Projects to the Port Commission for FY2013-2014.
(Fiscal Impact)

03/04/14; ASSIGNED to Budget and Finance Sub-Committee.

140189 **[Accept and Expend Grant - Rockefeller Foundation - Chief Resilience Officer - Amendment to the Annual Salary Ordinance - $440,000]**
**Sponsor: Mayor**
Ordinance authorizing the Office of the City Administrator to accept and expend a grant in the amount of $440,000 from the Rockefeller Foundation to hire a Chief Resilience Officer for San Francisco, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect the addition of one grant-funded position (.25 FTE) in Class 0933, Manager V, at the Office of the City Administrator, for the period of April 1, 2014, through March 31, 2016.

03/04/14; ASSIGNED to Budget and Finance Sub-Committee.

140190 **[Appropriation - Library Preservation Fund - Public Library Teen Center Project - $3,243,752 - FY2013-2014]**
**Sponsors: Chiu; Kim and Mar**
Ordinance appropriating $3,243,752 of Library Preservation Fund balance to the Public Library for the Teen Center Project in FY2013-2014.
(Fiscal Impact)

03/04/14; ASSIGNED to Budget and Finance Committee.

## Resolutions

140191 **[Accept and Expend Grant - Electric Vehicle Fleet Demonstration Project - $384,000]**
**Sponsor: Mayor**
Resolution retroactively authorizing the Fleet Management Division of the General Services Agency to accept and expend a grant in the amount of $384,000 from Alameda County for Electric Vehicles and Chargers, for the period of July 30, 2013, through December 31, 2015.
(Fiscal Impact)

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140194** **[Successor Agency to the Former Redevelopment Agency - Fifth Amendment to Mission Bay North Owner Participation Agreement]**

**Sponsor: Kim**

Resolution of the Board of Supervisors, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, to conditionally approve a Fifth Amendment to the Mission Bay North Owner Participation Agreement and to permit a feasible rental project with market rate and affordable moderate-income units available to households earning no more than 90% of the area median income on Block No. N4P3, bound by Berry Street to the south and the I-280 off-ramp to the north, in the Mission Bay North Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act.

03/04/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**140195** **[Arbor Week - March 7-14, 2014]**

**Sponsors: Breed; Campos**

Resolution celebrating the countless benefits of the City's urban forest, declaring March 7-14, 2014, as Arbor Week 2014 in the City and County of San Francisco.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140196** **[Urging the State Legislature to Provide Drought Mitigation Funding for Critical Water Supply and Conservation Projects for San Francisco]**

**Sponsor: Breed**

Resolution urging the State Legislature to provide drought mitigation funding for critical water supply and conservation projects for the San Francisco Bay Area.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140197** **[Supporting Passage of California Assembly Bill 1504 (Stone) - Single-use Filter Cigarettes]**

**Sponsor: Campos**

Resolution supporting passage of California Assembly Bill 1504, authored by Assemblymember Stone, which helps prevent the environmental harm and cost to state and local governments caused by the improper disposal of cigarette butts by prohibiting single-use plastic 'filters' in cigarettes sold in California.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140198** **[Supporting Xiao Fei "Eddy" Zheng's Application to Remain Lawfully in the United States]**

**Sponsors: Chiu; Kim, Cohen, Yee, Avalos and Mar**

Resolution urging The Honorable Jerry Brown, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon, and allow him to remain in the United States, and continue to serve youth in the San Francisco Bay Area community.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140199 **[Amending Resolution No. 36-14 - Electric Service Agreement - Transbay Joint Powers Authority - Term Beginning January 2014, and Continuing Indefinitely Unless Terminated]**

**Sponsor: Kim**

Resolution amending Resolution No. 36-14, to authorize an Electric Service Agreement between the Public Utilities Commission and the Transbay Joint Powers Authority for the Public Utilities Commission to be the primary provider of electric service to the Transbay Project beginning January 2014, and continuing indefinitely unless terminated.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140200 **[Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 130788) Expanding Formula Retail Controls]**

**Sponsor: Mar**

Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Motion

140201 **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**

Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

03/04/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

140202 **[Hearing - Deficiencies in Property Management of Aimco Real Estate Investment Trust]**

**Sponsor: Cohen**

Hearing on the deficiencies in property management of Aimco Real Estate Investment Trust.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140203** **[Hearing - Human Services Agency Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive and update on the Human Services Agency budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140204** **[Hearing - Department of Public Works Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Department of Public Works budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140205** **[Hearing - Update to City's Five-Year Financial Plan]**
**Sponsor: Farrell**
Hearing to receive an update from the Controller's Office and Mayor's Budget Office on the updated City's Five-Year Financial Plan.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140206** **[Hearing - Department of Public Health Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Department of Public Health's budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140207** **[Hearing - Port of San Francisco Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Port of San Francisco's budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140208** **[Hearing - City's Reserve and Set-Aside Policies for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to consider the City's reserve and set-aside policies for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140209** **[Hearing - Recreation and Park Department Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Recreation and Park Department budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140210 **[Hearing - Department of Children, Youth and Their Families and First Five Commission Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Department of Children, Youth and Their Families and First Five Commission budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140211 **[Hearing - Public Utilites Commission Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Public Utilities Commission budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140212 **[Hearing - San Francisco International Aiport Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the San Francisco International Airport budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140213 **[Hearing - Municipal Transportation Agency Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Municipal Transportation Agency's budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140214 **[Hearing - Youth Commission Budget Priorities for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Youth Commission budget priorities for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140215 **[Hearing - Police Department Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Police Department budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

140216 **[Hearing - Fire Department Budget Update for FYs 2014-2015 and 2015-2016]**
**Sponsor: Farrell**
Hearing to receive an update on the Fire Department budget for FYs 2014-2015 and 2015-2016.
03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140217** **[Hearing - Budget and Legislative Analyst's Report on Commercial Vacancies]**
**Sponsor: Mar**
Hearing on the Budget and Legislative Analyst's report on the City and County of San Francisco strategies to prevent and fill commercial vacancies.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140218** **[Hearing - State of Diabetes in San Francisco]**
**Sponsors: Wiener; Mar and Cohen**
Hearing at which local medical providers and City agencies will report on the prevalence, impacts, and costs of type-2 diabetes in San Francisco, including how diabetes affects different populations and what the long-term economic impacts are on medical costs at current diabetes rate levels.

03/04/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140219** **[Hearing - San Francisco Employee's Retirement System Investments in Russian Securities, and Departmental Policies]**
**Sponsor: Wiener**
Hearing on the San Francisco Employee's Retirement System (SFERS) investments in Russian securities; the feasibility, consistent with SFERS's fiduciary obligations to retirees, of SFERS divesting from Russian securities, given Russia's continuing persecution of members of the Lesbian, Gay, Bisexual, and Transgender community; and SFERS's policy regarding responses to inquiries from members of the Board of Supervisors about policy matters of interest to residents of San Francisco.

03/04/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

# PROPOSED RESOLUTION

**140148** **[Street Encroachment - 1410 Stanyan Street]**
Resolution granting revocable permission to Kieran J. Woods to occupy a portion of the public right-of-way to construct and maintain various improvements, including a driveway, associated retaining wall, a vehicular carousel to provide access to a proposed new single family dwelling at 1410 Stanyan Street (Assessor's Block No. 2706, Lot No. 035), landscaping, stairs leading to a public sitting area, and other related improvements within an existing unimproved portion of Stanyan Street between Clarendon and Mountain Spring Avenues; conditioning the permit; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

02/24/14; RECEIVED FROM DEPARTMENT.

03/04/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**In Memoriams**

*Franco Mancini - Supervisor Avalos*
*Jean Lum - Full Board*
*Major Kurt Lee - Full Board*
*Edward Zak - Supervisor Kim*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 6:20 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 8, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO
PUBLIC LIBRARY

**Tuesday, March 11, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee**<br>Supervisors Farrell, Mar, Avalos, Breed, Wiener | Wednesday<br>1:00 PM |
| **Budget and Finance Sub-Committee**<br>Supervisors Farrell, Mar, Avalos | Wednesday<br>10:00 AM |
| **City and School District Select Committee**<br>Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns | 4th Thursday<br>3:30 PM |
| **Government Audit and Oversight Committee**<br>Supervisors Breed, Tang, Chiu | 2nd and 4th Thursday<br>10:30 AM |
| **Land Use and Economic Development Committee**<br>Supervisors Wiener, Kim, Cohen | Monday<br>1:30 PM |
| **Neighborhood Services and Safety Committee**<br>Supervisors Campos, Mar, Yee | 1st and 3rd Thursday<br>10:00 AM |
| **Rules Committee**<br>Supervisors Yee, Tang, Campos | 1st and 3rd Thursday<br>2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, and Katy Tang

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Wiener and Yee were not present. There was a quorum.*

### Supervisors Wiener and Yee Excused from Voting

**Supervisor Campos, seconded by Supervisor Farrell, moved that Supervisors Wiener and Yee be excused from voting. The motion carried by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

**Supervisor Campos, seconded by Supervisor Breed, moved to approve the Board Meeting Minutes of February 4, 2014. The motion carried by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## COMMUNICATIONS

*There were none.*

## SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

**140220** **[Formal Policy Discussions - March 11, 2014]**
Pursuant to Charter, Sections 2.103 and 3.100(7), and Administrative Code, Section 2.11, the Mayor shall answer the following eligible questions submitted from Supervisors representing Districts 3, 5, 9, and 11. The Mayor may address the Board initially for up to five minutes. Discussion shall not exceed five minutes per Supervisor.

1. Mr. Mayor, to address the affordability crisis, you have pledged in your State of the City address to facilitate the construction of 30,000 units of housing by 2020 to meet the needs of the City's growing population. As you know, even as we build more housing we must do more to prevent the displacement of residents who are currently grappling with being priced out of San Francisco. I believe that our City's housing policy must include the preservation of existing, affordable rent controlled housing in addition to new development - a more cost effective way to provide affordable housing and stabilize communities. Two initiatives I've worked on to preserve our affordable housing stock are to: 1) create a pathway for the tens of thousands of existing in-law units to become legalized; and 2) establish a right for tenants to make an offer to buy their buildings when their property is up for sale. Will you support both initiatives, and can you pledge to invest in housing preservation by identifying funding for in-law units to be rehabbed and brought up code and for tenants to acquire their buildings and keep them affordable through the Small Site Acquisition Fund? (Supervisor Chiu, District 3)

2. San Francisco does not have enough ambulances. According to the Budget and Legislative Analyst's recent audit, "Medic to Follow" calls-the term used to describe when someone calls for an ambulance and the Fire Department does not have one available to send-have increased over 500% since 2008. They are happening an average of eight times each day. I have heard reports of patients being forced to wait 15, 25, even 40 minutes for an ambulance to transport them to the hospital. And the Fire Department is well below the service level it is obligated to provide under its "Exclusive Operating Area" with the state. Remaining out of compliance could seriously jeopardize jobs within the Fire Department, revenue to the Fire Department, and overall public safety.

The Fire Department estimates that it will need $9.8 million to provide new ambulances and personnel in order to meet its state regulations. This figure is likely high, as it does not account for the new revenue that increased emergency medical services capacity will generate. I have asked the Budget and Legislative Analyst to assess the net-net figure. Nonetheless, whether it is $4 million or $9 million, I think San Franciscans deserve a reliable emergency medical system.

Will you provide sufficient funding in this year's budget to bring the Fire Department's emergency medical services into compliance with its "Exclusive Operating Area" with the state? (Supervisor Breed, District 5)

3. As you know, Supervisor Avalos is in his second term. Very soon, he will be an unemployed former Supervisor over the age of fifty with no transferable skills whatsoever. Since you have such great relationships with our City's burgeoning technology sector, could you help Supervisor Avalos get a job?

Clearly, being a San Francisco Supervisor doesn't prepare anyone for the real world and Supervisor Avalos' advanced age is an additional handicap in the modern job market. Supervisor Avalos still asks lobbyists to make dittos instead of photocopy documents. He has no idea what Zynga means. He thinks Zynga is what Tom Ammiano calls a witty insult. He uses a flip phone. A flip phone.

So please use your considerable clout to help Supervisor Avalos get a job lined up for after he leaves office that can make use of his limited skills but generally affable temperament. Maybe as a greeter at Twitter HQ. Does Twitter have greeters? (Supervisor Campos, District 9)

4. In your letter of introduction to the 2013 Climate Action Strategy (CAS), you wrote that "the need

for immediate action has never been more evident, and we know that cities are leading the way." However the urgency of that statement is belied by the fact that the letter was dated October 21, 2013, and the Climate Action Strategy was not released until February 12, 2014.

The Climate Action Strategy goes on to state that "moving to 100% renewable electricity is the single biggest step the City can take to reduce Greenhouse Gas Emissions." And yet there was an attempt to scrub all mentions of CleanPowerSF--the City's program to actually deliver 100% renewable electricity--from the Climate Action Strategy. The version of the CAS released on February 12th included a "whited-out" table of projected participation rates in CleanPowerSF. But that table was unceremoniously removed in a new version that was posted two days later.

Unless we quickly implement 100% renewable electricity, we will fail to meet our legislated Greenhouse Gas Emission reduction requirements in the next few years.

As a birthday present to me, will you work with the Department of the Environment to reinstate CleanPowerSF in the Climate Action Strategy?

And as a present to the 87% of San Franciscans who believe global warming is happening, will you commit to launch CleanPowerSF this year? (Supervisor Avalos, District 11)

*Mayor Edwin Lee addressed the Board of Supervisors and discussed the above referenced questions. Following public comment this matter was filed. No further action was taken.*

**HEARD AND FILED**

## CONSENT AGENDA

### Recommendations of the Land Use and Economic Development Committee

130999 **[Zoning Map - Transferable Development Right Sale Eligibility - 133-135 Golden Gate Avenue (St. Boniface Church and Rectory)]**

**Sponsor: Kim**

Ordinance amending the Planning Code, Zoning Use District Map ZN01, to provide for eligibility to sell transferable development rights for property at 133-135 Golden Gate Avenue (St. Boniface Church and Rectory); and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 027-14

**FINALLY PASSED**

131059 **[Planning Code - Allowing Certain Non-Conforming Structures to be Rebuilt Under Certain Conditions]**

**Sponsors: Mayor; Chiu and Cohen**

Ordinance amending the Planning Code to allow non-conforming secondary structures in a C-3-R (Downtown Retail) Zoning District to be demolished and rebuilt to the prior non-conforming size under certain conditions; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 025-14

**FINALLY PASSED**

**131207** **[Environment Code - Bottled Water]**
**Sponsors: Chiu; Mar, Kim and Cohen**
Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water; and making environmental findings.

**Ordinance No.** 028-14

**FINALLY PASSED**

## Recommendation of the Rules Committee

**130401** **[Health Code - Hazardous Materials]**
Ordinance amending the Health Code to require electronic applications for registration of hazardous materials and for underground storage tanks be filed through the California Environmental Reporting System, to eliminate the requirement that registration of hazardous materials plans include a program for reduction of hazardous materials, and to provide for fee adjustment; and making environmental findings. (Public Health Department)

**Ordinance No.** 026-14

**FINALLY PASSED**

**The foregoing items were acted upon by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

# REGULAR AGENDA

# UNFINISHED BUSINESS

*There were no items.*

## NEW BUSINESS

### Recommendations of the Budget and Finance Committee

131186 **[Annual Update - Mental Health Services Act Program and Expenditure Plans - FY2013-2014]**
Resolution authorizing adoption of the FY2013-2014 Annual Update to Mental Health Services Act Program and Expenditure Plans. (Public Health Department)

**Resolution No.** 074-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

140056 **[Performance Contract Approval - California Department of Health Care Services - Mental Health Services]**
Resolution retroactively approving Performance Contract No. 13-90332, between Community Behavioral Health Services and the Department of Health Care Services, incorporating the Mental Health Services Act, Projects for Assistance in Transition from Homelessness, and Community Mental Health Services Grant programs, for the period of July 1, 2013, through June 30, 2014; and authorizing the Community Behavioral Health Services Director, Department of Public Health, to sign said agreement and any and all amendments in the future. (Public Health Department) (Fiscal Impact)

**Resolution No.** 077-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

### Recommendations of the Budget and Finance Sub-Committee

140090 **[Administrative Code - Local Hiring Policy - Jurisdictional Boundary for Mandatory Participation]**
**Sponsors: Avalos; Mar and Campos**
Ordinance amending the Administrative Code, to provide that the residents of the Public Utilities Commission service area are considered "local" for purposes of mandatory participation for the City's Local Hiring Policy, on certain projects located within 70 miles of the jurisdictional boundary of the City and County of San Francisco.

*Supervisor Campos requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

**140091** **[Administrative Code - Local Hiring Policy - Extending the Periodic Review and Mandatory Participation Level]**
**Sponsors: Avalos; Mar and Campos**
Resolution amending the Administrative Code, to extend the periodic review of the City's Local Hiring Policy and to determine the mandatory participation level for the policy.

*Supervisor Campos requested to be added as a co-sponsor.*

**Resolution No.** 080-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

**131240** **[Contract Agreement - Department of Public Health and Health Advocates, LLC - Not to Exceed $6,300,390]**
Resolution retroactively approving a contract between the Department of Public Health and Health Advocates, LLC, to provide uncompensated care reimbursement recovery services for the period of January 1, 2014, through December 31, 2017, for an amount not to exceed $6,300,390. (Public Health Department)
(Fiscal Impact)

**Resolution No.** 075-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

**140067** **[Accept and Expend Grant - Anti-Human Trafficking Task Force Program - $230,529]**
**Sponsor: Tang**
Resolution retroactively authorizing the Police Department to accept and expend a grant augmentation in the amount of $230,529 from the Governor's Office of Emergency Services, for the Anti-Human Trafficking Task Force Program, for the period of October 1, 2013, through June 30, 2014.

**Resolution No.** 078-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

**140089** **[Lease Agreement - Southwest Airlines, Co. - Airport Cargo Building 606 - $1,313,761]**
Resolution approving and authorizing the execution of a Lease Agreement for Cargo Building 606, and Related Areas on Plot 9B, No. L13-0257, between Southwest Airlines, Co., and the City and County of San Francisco, acting by and through its Airport Commission, with a minimum rent amount of $1,313,761 for a term of five years, to commence upon Board approval. (Airport Commission)
(Fiscal Impact.)

**Resolution No.** 079-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## Recommendation of the Government Audit and Oversight Committee

140012 **[Reducing Pharmaceutical Prices]**
**Sponsors: Chiu; Wiener and Campos**
Resolution supporting City, State, and Federal efforts to reduce pharmaceutical prices and increase transparency of the pharmaceutical rate-setting process.

**Resolution No.** 076-14

**ADOPTED by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## Recommendation of the Land Use and Economic Development Committee

140065 **[Shaw Alley Public Improvements - Gift Acceptance and Permit for Maintenance]**
**Sponsor: Kim**
Ordinance accepting the Shaw Alley public improvements and maintenance of same as a gift to the City; approving a major street encroachment permit for the construction and maintenance of the public improvements; deferring a portion of the additional street space occupancy permit fees associated with the permit and adjacent development; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing official acts in furtherance of this Ordinance.

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

## Privilege of the Floor

**Supervisor Avalos, seconded by Supervisor Campos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

*Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to Joe Obegi of the Joe's Cable Car Restaurant in recognition of their accomplishments and continued community support upon their closure following 50 years of service.*

*Supervisor Avalos introduced, welcomed, and presented a Certificate of Honor to a group of volunteers in recognition of Saturday in McLaren Park, their accomplishments, and continued community support.*

## COMMITTEE REPORT

### Recommendation of the Rules Committee

**140119** **[Settlement of Lawsuit - BRE/GLEN Portfolio Mezz 4, LLC - $512,581.50]**
Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4, LLC, against the City and County of San Francisco for $512,581.50; the lawsuit was filed on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled BRE/GLEN Portfolio Mezz 4, LLC v. City and County of San Francisco. (City Attorney's Office)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*Supervisor Avalos was noted absent at 3:11 p.m., and noted present at 3:17 p.m.*

## PUBLIC COMMENT

*Peter Warfield (Library User's Association); expressed concerns relating to illegalities of SF Public Library and acknowledgments by Sunshine Ordinance Task Force.*
*Espinola Jackson; expressed concerns relating to affordable housing and grant funding.*
*Francisco Da Costa, expressed concerns relating to speaker on podium and comedic shenanigans.*
*Male Speaker; expressed various religious concerns.*
*Walter Paulson; shared in song certain concerns with the Board including birthday wishes.*
*Male Speaker; expressed concerns relating to ride sharing programs.*
*Michael Petrelis; expressed concerns relating to photos taken inside restrooms at SF Public Library.*
*Douglas Yep; expressed various concerns relating to political corruption.*
*John DiDonna; shared in poem certain suggestions with the Board.*
*Christopher Dahl; expressed concerns relating to his biography, thinking, and observations*
*Mark Ruberg; expressed concerns relating to taxi cab industry and ride sharing programs.*
*Brian Basinger (AIDS Housing Alliance); expressed concerns relating to gender identity protections.*
*Male Speaker; expressed various concerns relating to elevators in the Tenderloin.*
*Otto Duffy (North Market Neighborhood Activist); spoke relating to 'nerd' phenomenon and affordable housing.*
*Larry Edmund; expressed various concerns.*
*Neil McNamera; expressed various concerns relating to renaming of the Bay Bridge and support for former Mayor Rolph.*

*Supervisor Farrell was noted absent at 3:44 p.m., and noted present at 3:52 p.m.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

140195 **[Arbor Week - March 7-14, 2014]**
**Sponsors: Breed; Campos**
Resolution celebrating the countless benefits of the City's urban forest, declaring March 7-14, 2014, as Arbor Week 2014 in the City and County of San Francisco.

**Resolution No.** 081-14

ADOPTED

140196 **[Urging the State Legislature to Provide Drought Mitigation Funding for Critical Water Supply and Conservation Projects for San Francisco]**
**Sponsor: Breed**
Resolution urging the State Legislature to provide drought mitigation funding for critical water supply and conservation projects for the San Francisco Bay Area.

**Resolution No.** 082-14

ADOPTED

140197 **[Supporting Passage of California Assembly Bill 1504 (Stone) - Single-use Filter Cigarettes]**
**Sponsor: Campos**
Resolution supporting passage of California Assembly Bill 1504, authored by Assemblymember Stone, which helps prevent the environmental harm and cost to state and local governments caused by the improper disposal of cigarette butts by prohibiting single-use plastic 'filters' in cigarettes sold in California.

**Resolution No.** 083-14

ADOPTED

140198 **[Supporting Xiao Fei "Eddy" Zheng's Application to Remain Lawfully in the United States]**
**Sponsors: Chiu; Kim, Cohen, Yee, Avalos and Mar**
Resolution urging The Honorable Jerry Brown, Governor of California, to grant Xiao Fei "Eddy" Zheng a full pardon, and allow him to remain in the United States, and continue to serve youth in the San Francisco Bay Area community.

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No.** 084-14

ADOPTED

**140199** **[Amending Resolution No. 36-14 - Electric Service Agreement - Transbay Joint Powers Authority - Term Beginning January 2014, and Continuing Indefinitely Unless Terminated]**
**Sponsor: Kim**
Resolution amending Resolution No. 36-14, to authorize an Electric Service Agreement between the Public Utilities Commission and the Transbay Joint Powers Authority for the Public Utilities Commission to be the primary provider of electric service to the Transbay Project beginning January 2014, and continuing indefinitely unless terminated.

**Resolution No.** 085-14

**ADOPTED**

**140200** **[Approval of a 60-Day Extension for Planning Commission Review of an Ordinance (File No. 130788) Expanding Formula Retail Controls]**
**Sponsor: Mar**
Resolution extending by 60-days the prescribed time within which the Planning Commission may render its decision on an Ordinance (File No. 130788) amending the Planning Code to expand the definition of formula retail to include businesses that have eleven or more outlets worldwide and to include businesses 50% or more owned by formula retail businesses; to expand the applicability of formula retail controls to other types of retail uses; to expand the notification procedures for formula retail applications; to require an economic impact report as part of the formula retail conditional use application; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Resolution No.** 086-14

**ADOPTED**

**140186** **[Final Map 7300 - 230-234A Hermann Street]**
Motion approving Final Map 7300, a Five Residential Unit Condominium Project, located at 230-234A Hermann Street, being a subdivision of Assessor's Block No. 0868, Lot Nos. 009 and 009A, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-030

**APPROVED**

**140201** **[Concurring in the Continuation of the Revised Declaration of Local Emergency - Rim Fire (Stanislaus National Forest Area)]**
Motion concurring in the continuation of the "Rim Fire" Revised Declaration of Local Emergency by the Mayor and in the actions taken to meet the emergency. (Clerk of the Board)

**Motion No.** M14-031

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 9 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang
Excused: 2 - Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

# LEGISLATION INTRODUCED AT ROLL CALL

## Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## Ordinances

131146 **[Subdivision Code - Condominium Conversion Fee Appeals and Fee Deferral]**
**Sponsor: Breed**
Ordinance amending the Subdivision Code to authorize the Clerk of the Board of Supervisors to reject appeals of the condominium conversion fee when the appeal does not challenge the relationship or nexus between the impact of development and the amount of the fee charged, to modify the fee deferral process administered by the Department of Public Works, to allow conversions to proceed with a gap in ownership occupancy due to foreclosure, and affirming the Planning Department's California Environmental Quality Act determination.

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/26/2013.

12/20/13; REFERRED TO DEPARTMENT.

03/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140232 **[Appropriation - Airport Commission - Capital Improvement Projects - $1,969,830,773 - FY2013-2014]**
**Sponsor: Mayor**
Ordinance appropriating $1,969,830,773 of proceeds from the sale of bonds for capital improvement projects to the Airport Commission for FY2013-2014, and placing the total appropriation of $1,969,830,773 on Controller's reserve pending sale of the bonds. (Fiscal Impact)

03/11/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/10/2014.

140233 **[Public Employment - Amendment to the Annual Salary Ordinance for the Human Services Agency - FYs 2013-2014 and 2014-2015]**
**Sponsors: Mayor; Farrell**
Ordinance amending Ordinance No. 160-13 (Annual Salary Ordinance FYs 2013-2014 and 2014-2015) to reflect the addition of 68 new positions (16.85 FTEs in FY2013-2014) at the Human Services Agency for implementation of additional work associated with increased State and Federal funding.

03/11/14; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 4/10/2014.

**140234** **[Appropriation - Human Services Agency - Increased Revenues and Expenditures - $31,526,350 - FY2013-2014]**
**Sponsors: Mayor; Farrell**
Ordinance appropriating $31,526,350 of In-Home Supportive Services, CalWORKs, and other State and Federal revenue to the Human Services Agency in order to support In-Home Supportive Services, CalWORKs, and other program expenditures in FY2013-2014.

03/11/14; ASSIGNED to Budget and Finance Committee.

**140235** **[Planning Department - Application Information on Anti-Discriminatory Housing Policies]**
**Sponsors: Campos; Wiener, Kim, Farrell, Avalos and Mar**
Ordinance requiring the Planning Department to include certain informational questions regarding anti-discriminatory housing policies based on sexual orientation and gender identity on a project sponsor's application for specified residential and mixed-use projects, requiring an annual report from the Human Rights Commission on the data collected from such applications, and affirming the Planning Department's California Environmental Quality Act determination.

03/11/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/10/2014.

**140236** **[Planning Code - Mission Alcoholic Beverage Special Use District]**
**Sponsor: Campos**
Ordinance amending the Planning Code, Mission Alcoholic Beverage Special Use District, to allow mini-golf courses functionally and/or physically integrated with a restaurant use to obtain liquor licenses; and making environmental findings, Planning Code, Section 302 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/11/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/10/2014.

## Resolutions

**140237** **[Bond Issuance - Airport Capital Plan Bonds - $1,969,830,773]**
**Sponsor: Mayor**
Resolution approving the issuance of up to $1,969,830,773 aggregate principal amount of Airport Commission Capital Plan Bonds; and approving certain related matters.
(Fiscal Impact)

03/11/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140238** **[Adopting a Fixed Two-Year Budget - Airport, Port, Public Utilities Commission, Library, Child Support Services, and Employees' Retirement System]**
**Sponsors: Mayor; Farrell**
Resolution adopting a fixed two-year budgetary cycle for the Airport, the Port, the Public Utilities Commission, the Library Department, the Department of Child Support Services, and the Employees' Retirement System, defining terms, and setting deadlines.

03/11/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140239** **[Accept and Expend Grant - Nob Hill Foundation - $1,450,000]**
**Sponsor: Chiu**
Resolution authorizing the Recreation and Park Department to accept and expend a grant of up to $1,450,000, from the Nob Hill Foundation, for the design and construction of a renovated playground and perimeter fence in Huntington Park, for a three-year term, to commence upon Board approval.

03/11/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140241** **[Multifamily Housing Revenue Bonds - 350 Friedell Street (Block No. 4591-C, Lot No. 103) - Not to Exceed $19,500,000]**
**Sponsor: Cohen**
Resolution declaring the intent of the City and County of San Francisco (City) to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (Director) to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds in an aggregate principal amount not to exceed $19,500,000 for 350 Friedell Street, San Francisco, CA 94124 (Block No. 4591-C, Lot No. 103); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the project, as defined herein, and the Application as defined herein.

03/11/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140242** **[Temporary License Agreement - San Francisco General Hospital - Safety Improvements]**
**Sponsor: Wiener**
Resolution approving and authorizing a temporary, non-exclusive, non-possessory License Agreement for certain safety enhancement improvements over portions of San Francisco General Hospital Campus for a term of up to 10 years, to commence upon Board approval.

03/11/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140243** **[Supporting Senate Bill 1005 (Lara) - Expanding Access to Health Care Coverage for All Californians Regardless of Immigration Status]**
**Sponsors: Campos; Mar**
Resolution supporting California Senate Bill 1005, introduced by Senator Ricardo Lara, which authorizes enrollment in the Medi-Cal program or in insurance offered through a health benefit exchange to individuals who would otherwise qualify for enrollment in those programs but are denied access based on their immigration status.

03/11/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Motions

**140192** **[Committee of the Whole - Fifth Amendment to Mission Bay North Owner Participation Agreement - April 8, 2014]**
**Sponsor: Kim**
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco on April 8, 2014, at 3:00 p.m., to hold a public hearing to conditionally approve a Fifth Amendment to the Mission Bay North Owner Participation Agreement and to permit a feasible rental project with market rate and affordable moderate-income units available to households earning no more than 90% of the area median income on Block No. N4P3, bound by Berry Street to the south and the I-280 off-ramp to the north, in the Mission Bay North Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act.
03/11/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

**140193** **[Hearing - Successor Agency to the Former Redevelopment Agency - Fifth Amendment to Mission Bay North Owner Participation Agreement]**
Hearing of persons interested in or objecting to the proposed Resolution of the Board of Supervisors, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, to conditionally approve a Fifth Amendment to the Mission Bay North Owner Participation Agreement and to permit a feasible rental project with market rate and affordable moderate-income units available to households earning no more than 90% of the area median income on Block No. N4P3, bound by Berry Street to the south and the I-280 off-ramp to the north, in the Mission Bay North Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act. (Clerk of the Board)
03/04/14; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

**140244** **[Hearing - Impact of Chronic Diseases in San Francisco's Low-Income and Minority Communities]**
**Sponsors: Cohen; Wiener and Mar**
Hearing on the impact of chronic diseases in San Francisco's low-income and minority communities.
03/11/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140245** **[Hearing - Budget and Legislative Analyst's Report on Transportation Network Companies]**
**Sponsors: Mar; Avalos and Campos**
Hearing on the Budget and Legislative Analyst's Report on Transportation Network Companies.
03/11/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

## PROPOSED ORDINANCES

**140182** **[Settlement of Lawsuit - Michael Yaki - City to Receive $75,000]**

Ordinance authorizing settlement of the lawsuit filed by City Attorney Dennis J. Herrera against Michael Yaki for $75,000; the lawsuit was filed on December 4, 2013, in San Francisco Superior Court, Case No. CGC-13-535880; entitled Dennis J. Herrera in his official capacity as San Francisco City Attorney v. Michael Yaki; other material terms of the settlement are that Yaki will register as a lobbyist with the San Francisco Ethics Commission, file monthly lobbyist disclosures for the period of July 2012 through August 2013, and complete a lobbyist training. (City Attorney)

02/28/14; RECEIVED FROM DEPARTMENT.

03/11/14; RECEIVED AND ASSIGNED to Rules Committee.

**140185** **[Settlement of Lawsuit - Syncora Guarantee, Inc., formerly XL Capital Assurance, Inc. - City to Receive $180,000]**

Ordinance authorizing a settlement of the lawsuit filed by the City and County of San Francisco against Syncora Guarantee, Inc. (formerly known as XL Capital Assurance, Inc.) for $180,000; the lawsuit was filed on October 8, 2008, in San Francisco Superior Court, Case No. CGC-08-480708; entitled City and County of San Francisco v. AMBAC Financial Group Inc., et al.; this partial settlement applies only to claims against Syncora Guarantee; other material terms of the settlement are that Syncora will waive its claim for attorneys fees and costs and cooperate in future discovery. (City Attorney)

02/28/14; RECEIVED FROM DEPARTMENT.

03/11/14; RECEIVED AND ASSIGNED to Rules Committee.

## PROPOSED RESOLUTION

**140181** **[Street Encroachment - Ivy Street Fronting 401 Grove Street]**
Resolution granting revocable permission to Ivy Grove Partners, LLC, to occupy a portion of the public right-of-way to install and maintain planter bulb-outs and irrigation lines on Ivy Street fronting 401 Grove Street (Block No. 0808, Lot No. 036), conditioning the permit, affirming the Planning Department's determination under the California Environmental Quality Act, and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

02/27/14; RECEIVED FROM DEPARTMENT.

03/11/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 4:05 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 15, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO
PUBLIC LIBRARY

**Tuesday, March 18, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

***Angela Calvillo, Clerk of the Board***

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee**<br>Supervisors Farrell, Mar, Avalos, Breed, Wiener | Wednesday<br>1:00 PM |
| **Budget and Finance Sub-Committee**<br>Supervisors Farrell, Mar, Avalos | Wednesday<br>10:00 AM |
| **City and School District Select Committee**<br>Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns | 4th Thursday<br>3:30 PM |
| **Government Audit and Oversight Committee**<br>Supervisors Breed, Tang, Chiu | 2nd and 4th Thursday<br>10:30 AM |
| **Land Use and Economic Development Committee**<br>Supervisors Wiener, Kim, Cohen | Monday<br>1:30 PM |
| **Neighborhood Services and Safety Committee**<br>Supervisors Campos, Mar, Yee | 1st and 3rd Thursday<br>10:00 AM |
| **Rules Committee**<br>Supervisors Yee, Tang, Campos | 1st and 3rd Thursday<br>2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.*

## AGENDA CHANGES

*There were none.*

## APPROVAL OF MEETING MINUTES

**Supervisor Mar, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of February 11, 2014. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

### Recommendations of the Rules Committee

140114 **[Settlement of Lawsuit - State Farm Insurance Company - $115,000]**
Ordinance authorizing settlement of the lawsuit filed by State Farm Insurance Company against the City and County of San Francisco for $115,000; the lawsuit was filed on July 1, 2013, in Superior Court of California, County of San Francisco, Case No. CGC-13-532539; entitled State Farm General Insurance Company, v. City and County of San Francisco, et al. (City Attorney's Office)

**PASSED, ON FIRST READING**

140118 **[Settlement of Lawsuit - Elevated Investors II, LLC - City to Receive $20,000]**
Ordinance authorizing settlement of the writ action filed by the City and County of San Francisco against Assessment Appeals Board No. 1, and Elevated Investors II, LLC, as the real party in interest, in exchange for a payment of $20,000 from Elevated Investors II LLC; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CPF-11-511651; entitled City and County of San Francisco, et al., v. Assessment Appeals Board No. 1, (Elevated Investors II, LLC). (City Attorney's Office)

**PASSED, ON FIRST READING**

**140137** **[Settlement of Lawsuit - Gabe Terry - $125,000]**
Ordinance authorizing settlement of the lawsuit filed by Gabe Terry and Elena Wong Terry against the City and County of San Francisco for $125,000; the lawsuit was filed on July 6, 2012, in San Francisco Superior Court, Case No. CGC-12-522132; entitled Gabe Terry, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

**PASSED, ON FIRST READING**

**140115** **[Settlement of Claim - John C. Lyons - $125,000]**
Resolution approving the settlement of the unlitigated claim filed by John C. Lyons against the City and County of San Francisco for $125,000; claim was filed on February 5, 2013. (City Attorney's Office)

**Resolution No.** 095-14

**ADOPTED**

**140116** **[Settlement of Claim - California State Automobile Association Insurance Company - $56,330.42]**
Resolution approving the settlement of the unlitigated claim filed by California State Automobile Association Insurance Company against the City and County of San Francisco for $56,330.42; claim was filed on August 30, 2013. (City Attorney's Office)

**Resolution No.** 096-14

**ADOPTED**

**140119** **[Settlement of Lawsuit - BRE/GLEN Portfolio Mezz 4, LLC - $512,581.50]**
Ordinance authorizing settlement of the lawsuit filed by BRE/GLEN Portfolio Mezz 4, LLC, against the City and County of San Francisco for $512,581.50; the lawsuit was filed on March 26, 2013, in San Francisco Superior Court, Case No. CGC-13-530011; entitled BRE/GLEN Portfolio Mezz 4, LLC v. City and County of San Francisco. (City Attorney's Office)

**Ordinance No.** 029-14

**FINALLY PASSED**

**140165** **[Appointments, SRO Task Force - Sam Patel and Pratibha Tekkey]**
Motion appointing Sam Patel and Pratibha Tekkey (residency requirement waived), terms ending December 31, 2015, to the SRO Task Force. (Rules Committee)

**Motion No.** M14-032

**APPROVED**

**140178** **[Appointment, Commission on the Aging Advisory Council - Margie Ramirez]**
Motion appointing Margie Ramirez, term ending March 31, 2015, to the Commission on the Aging Advisory Council. (Rules Committee)

**Motion No.** M14-033

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Sub-Committee

140090 **[Administrative Code - Local Hiring Policy - Jurisdictional Boundary for Mandatory Participation]**
**Sponsors: Avalos; Mar and Campos**
Ordinance amending the Administrative Code, to provide that the residents of the Public Utilities Commission service area are considered "local" for purposes of mandatory participation for the City's Local Hiring Policy, on certain projects located within 70 miles of the jurisdictional boundary of the City and County of San Francisco.

**Ordinance No.** 032-14

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

### Recommendation of the Land Use and Economic Development Committee

140065 **[Shaw Alley Public Improvements - Gift Acceptance and Permit for Maintenance]**
**Sponsor: Kim**
Ordinance accepting the Shaw Alley public improvements and maintenance of same as a gift to the City; approving a major street encroachment permit for the construction and maintenance of the public improvements; deferring a portion of the additional street space occupancy permit fees associated with the permit and adjacent development; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing official acts in furtherance of this Ordinance.

**Ordinance No.** 031-14

**FINALLY PASSED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

# NEW BUSINESS

## Recommendations of the Budget and Finance Sub-Committee

**140008** **[Appropriating $4,515,000 from the General Fund Reserve for Nonprofit Rent Stabilization Program - Mayor's Office of Housing and the Arts Commission - FY2013-2014]**

**Sponsors: Chiu; Kim, Avalos and Mar**

Ordinance appropriating $4,515,000 from the general fund reserve to the Mayor's Office of Housing in the amount of $2,515,000 and to the Arts Commission in the amount of $2,000,000 for FY2013-2014, establishing the Nonprofit Rent Stabilization Program, and placing these funds on Budget and Finance Committee reserve pending a report from the Nonprofit Displacement Work Group to the Board of Supervisors.
(Fiscal Impact)

*Privilege of the floor was granted to Tom DeCaigny (Arts Commission), Ben Rosenfield, Controller, and Brian Cheu, Director, Mayor's Office of Coummunity Development, who responded to questions raised throughout the discussion.*

**Supervisor Yee, seconded by Supervisor Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

Ordinance appropriating $4,515,000 from the general fund reserve to the Mayor's Office of Housing in the amount of $2,515,000 and to the Arts Commission in the amount of $2,000,000 for FY2013-2014, establishing the Nonprofit Rent Stabilization Program, and placing these funds on Board of Supervisors reserve pending a report from the Nonprofit Displacement Work Group to the Board of Supervisors.

*Supervisor Campos requested to be added as a co-sponsor.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140189** **[Accept and Expend Grant - Rockefeller Foundation - Chief Resilience Officer - Amendment to the Annual Salary Ordinance - $440,000]**

**Sponsor: Mayor**

Ordinance authorizing the Office of the City Administrator to accept and expend a grant in the amount of $440,000 from the Rockefeller Foundation to hire a Chief Resilience Officer for San Francisco, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect the addition of one grant-funded position (.25 FTE) in Class 0933, Manager V, at the Office of the City Administrator, for the period of April 1, 2014, through March 31, 2016.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131209 **[Accept Gift - Department of Technology - Wi-Fi Equipment - $701,894]**
**Sponsors: Mayor; Chiu**
Resolution retroactively authorizing the Department of Technology to accept a gift of equipment, software, and services from Ruckus Wireless, Inc., with a total value of $701,894 in order to provide free wireless access to the Internet along Market Street.

**Resolution No.** 087-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131216 **[Accept and Expend Gift - Park Wi-Fi Project - $608,000]**
**Sponsor: Farrell**
Resolution authorizing the Department of Technology to accept and expend a gift of $608,000 in cash from San Francisco Citizens Initiative for Technology and Innovation in order to provide free, wireless Internet access to the public in certain parks and recreational facilities in San Francisco; and making environmental findings.

**Resolution No.** 088-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

131217 **[Accept Gift - Department of Technology - Wi-Fi Equipment - $270,000]**
**Sponsor: Farrell**
Resolution authorizing the Department of Technology to accept a gift of equipment, software, and services from Cisco, Inc., with a total value of $270,000 in order to provide free, wireless internet access at various locations in San Francisco.

**Resolution No.** 089-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140068 **[Accept and Expend Grant - HIV Transmission Cluster Analysis to Inform Prevention - $108,366]**
**Sponsor: Wiener**
Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $108,366 from The Regents of the University of California to participate in a program, entitled "HIV Transmission Cluster Analysis to Inform Prevention," for the period of July 1, 2013, through June 30, 2014.

**Resolution No.** 092-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140092** **[Agreement - Itron, Inc. - Meter Reading and Forecasting Software Maintenance - $171,000]**

Resolution authorizing the General Manager of the Public Utilities Commission to enter into an agreement with Itron, Inc., for meter reading and forecasting software maintenance, for a term of five and one-half years, from March 30, 2014, to September 30, 2019, in the amount of $171,000 pursuant to Charter, Section 9.118(b). (Public Utilities Commission)
(Fiscal Impact)

**Resolution No.** 093-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140099** **[Accept and Expend Grant - San Francisco Family Intervention, Reentry and Supportive Transitions Program - $749,967]**

**Sponsor: Breed**

Resolution retroactively authorizing the Department of Public Health to accept and expend a grant in the amount of $749,967 from U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, and Second Chance Act Juvenile Reentry Program, to participate in a program entitled, "San Francisco Family Intervention, Reentry, and Supportive Transitions Program," for the period of October 1, 2013, through September 30, 2014.

**Resolution No.** 094-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**140124** **[Authorizing Expenditures - South of Market Community Stabilization Fund - $105,000]**

**Sponsor: Kim**

Resolution authorizing the Mayor's Office of Housing and Community Development to expend South of Market Community Stabilization Fund dollars in the amount of $105,000 for capacity building and tenant counseling services.

**Resolution No.** 097-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Neighborhood Services and Safety Committee

**140039** **[Pedestrian Safety Public Awareness Working Group]**

**Sponsors: Yee; Avalos, Kim and Campos**

Resolution urging the Transportation Authority to convene and coordinate a Pedestrian Safety Public Awareness Working Group and to develop an action plan within 90 days of their first meeting.

*Supervisor Campos requested to be added as a co-sponsor.*

**Resolution No.** 090-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140047 **[Implement a VISION ZERO Three Point Plan: Engineering, Education and Enforcement]**
**Sponsors: Kim; Avalos, Yee, Chiu, Mar, Breed and Campos**
Resolution urging the Mayor, the Chief of Police, and Director of the Municipal Transportation Agency to adopt a VISION ZERO Three Point Plan to expedite the goals of San Francisco's Pedestrian and Bicycle Strategies and implement an action plan to reduce traffic fatalities to zero in the next ten years through better engineering, education, and enforcement.

**Resolution No.** 091-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Rules Committee

131208 **[Health Code - Restrictions on Sale and Use of Electronic Cigarettes]**
**Sponsors: Mar; Avalos, Chiu, Yee and Cohen**
Ordinance amending the Health Code to prohibit the use of electronic cigarettes where smoking is otherwise prohibited; require a tobacco permit for the sale of electronic cigarettes; prohibit the sale of electronic cigarettes where the sale of tobacco products is otherwise prohibited; and making environmental findings.

*Supervisor Cohen requested to be added as a co-sponsor.*

*Privilege of the floor was granted to Tomas Aragon (Department of Public Health) who responded to questions raised throughout the discussion.*

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140081 **[Administrative Code - Dissolving the Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**
Ordinance amending the Administrative Code, by deleting Section 12X.6, to dissolve the Community Oversight Committee Regarding Enforcement of Marijuana Offenses. (Clerk of the Board)

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

*There were none.*

## SPECIAL ORDER 3:00 P.M.

## Board of Supervisors Sitting as a Committee of the Whole

**140030** **[Hearing - Street Vacation Order - Hunters View Phase 2 - West Point Road]**
Hearing of persons interested in or objecting to the proposed Ordinance ordering the vacation of a portion of West Point Road and various public service easements for the Hunters View Phase 2 development; quitclaiming the City's interest in the vacation areas to the San Francisco Housing Authority; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; authorizing official acts in connection with this Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Committee of the Whole relating to File No. 140031. Supervisor Cohen provided some opening remarks. Barbara Moy (Department of Public Works) provided an overview of the vacation and responded to questions raised throughout the discussion. Espinola Jackson; Larry Edmund; Michael Petrelis; Male Speaker; spoke in support of the vacation. There were no other speakers. The President declared public comment closed, adjourned as the Committee of the Whole, and reconvened as the Board of Supervisors.*

**HEARD AND FILED**

## Committee of the Whole Adjourn and Report

**140031** **[Street Vacation Order - Hunters View Phase 2 - West Point Road]**
Ordinance ordering the vacation of a portion of West Point Road and various public service easements for the Hunters View Phase 2 development; quitclaiming the City's interest in the vacation areas to the San Francisco Housing Authority; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; authorizing official acts in connection with this Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

*PASSED ON FIRST READING by the following vote:*
*Ayes: 10 - Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*
*Noes: 1 - Avalos*

*Supervisor Campos, seconded by Supervisor Breed, moved to rescind the previous vote. The motion passed by the following vote:*
*Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**PASSED ON FIRST READING by the following vote:**

Ayes: 9 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

## COMMITTEE REPORTS

## Recommendations of the Land Use and Economic Development Committee

131121 **[Planning Code - Amending the Third Street Alcohol Restricted Use District]**
**Sponsor: Cohen**

Ordinance amending the Planning Code, to amend the Third Street Alcohol Restricted Use District, to allow Alcoholic Beverage Control (ABC) Type 2, "Winegrower" licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**PASSED, ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

140171 **[Resolution of Intent - Street Vacation - Hunters Point Shipyard Phase II Redevelopment Plans - Candlestick Point]**
**Sponsor: Cohen**

Resolution declaring the intent of the Board to order the vacation of portions of streets along with public service easements that may exist within the Hunters Point Shipyard Phase II Redevelopment Plan area, generally bounded the 1948 Bulkhead Line to the north, the 1941 Bulkhead Line to the east, Bancroft Avenue to the south, and Griffith Street to the west, including submerged areas; order the vacation of portions of streets along with public service easements that may exist within the Candlestick Point Redevelopment Plan area, generally bounded by Underwood Avenue, Arelious Walker Drive, Gilman Avenue, Donahue Street, Carroll Avenue, Alvord Street, Fitzgerald Avenue, the City and County of San Francisco County Line, Harney Way, Ingerson Avenue, and Hawes Street, including submerged areas; order the conditional vacation of portions of Griffith Street, Nichols Way, Cameron Way, Doublerock Street, Giants Drive, Hunters Point Expressway, Jamestown Avenue, Gilman Avenue, and Crisp Road for various purposes; reserve various easement rights in favor of the City and third party utilities, subject to conditions specified in this Ordinance; and setting a hearing date of April 8, 2014, for all persons interested in the proposed vacation of said street areas and public service easements.

*ADOPTED by the following vote:*
*Ayes: 11 - Avalos, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

*Supervisor Farrell, seconded by Supervisor Avalos, moved to rescind the previous vote. The motion passed by the following vote:*
*Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 073-14

**ADOPTED by the following vote:**

Ayes: 9 - Breed, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Noes: 2 - Avalos, Campos

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

## PUBLIC COMMENT

*Peter Warfield (Library User's Association); spoke in opposition to proposed SF Public Library funding request for Teen Center and illiteracy learning center.*
*Lois Roberts; spoke in support for transparency and public accountability back to City College of San Francisco.*
*Keith Dennis; expressed concerns relating to assisted living.*
*Madeleine Savit; expressed concerns relating to public safety, zero tolerance, and additional public funding needed.*
*Espinola Jackson; expressed concerns relating to housing, homelessness, and need for an audit of public funds.*
*Leslie de Taillandier; read a letter relating to neuro-development disorders relating to wifi.*
*Mark Trouter; expressed various religious concerns.*
*Dale Seymour; expressed concerns relating to technology and associated displacement.*
*Male Speaker; expressed concerns relating to ride sharing programs and associated safety concerns.*
*John; expressed various concerns relating to wood.*
*Michael Petrelis; expressed concerns relating to San Francisco Chronicle photos and associated violations.*
*Christopher Dahl; expressed various concerns relating to Vietnam.*
*James Goode; expressed concerns relating to hiring policies and legislative interference.*
*Charles Grisham; expressed concerns relating to quality of life in San Francisco and recent construction.*
*Larry Edmund; expressed various concerns.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**140243** **[Supporting Senate Bill 1005 (Lara) - Expanding Access to Health Care Coverage for All Californians Regardless of Immigration Status]**
**Sponsors: Campos; Mar**
Resolution supporting California Senate Bill 1005, introduced by Senator Ricardo Lara, which authorizes enrollment in the Medi-Cal program or in insurance offered through a health benefit exchange to individuals who would otherwise qualify for enrollment in those programs but are denied access based on their immigration status.

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No.** 098-14
**ADOPTED**

140192 **[Committee of the Whole - Fifth Amendment to Mission Bay North Owner Participation Agreement - April 8, 2014]**

**Sponsor: Kim**

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco on April 8, 2014, at 3:00 p.m., to hold a public hearing to conditionally approve a Fifth Amendment to the Mission Bay North Owner Participation Agreement and to permit a feasible rental project with market rate and affordable moderate-income units available to households earning no more than 90% of the area median income on Block No. N4P3, bound by Berry Street to the south and the I-280 off-ramp to the north, in the Mission Bay North Redevelopment Project Area; and making environmental findings under the California Environmental Quality Act.

**Motion No.** M14-034

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## IMPERATIVE AGENDA

*There were no items.*

# LEGISLATION INTRODUCED AT ROLL CALL

## Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

## Ordinances

**131148** **[Planning, Building, Administrative, and Subdivision Codes - Legalization of Dwelling Units Installed Without a Permit]**
**Sponsors: Chiu; Wiener and Avalos**

Ordinance amending the Planning and Building Codes to provide a process for granting legal status to existing dwelling units constructed without the required permits, temporarily suspending the code enforcement process for units in the process of receiving legal status, and prohibiting units from being legalized under the provisions of this Ordinance if there have been no-fault evictions; amending the Administrative Code to prohibit the costs of legalization from being passed through to the tenant; amending the Subdivision Code to prohibit legalized units from being subdivided and separately sold; affirming the Planning Department's California Environmental Quailty Act determination, making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and directing the Clerk of the Board of Supervisors to submit this Ordinance to the California Department of Housing and Community Development in accordance with California Government Code, Section 65852.2(h).

11/26/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/26/2013.

12/20/13; REFERRED TO DEPARTMENT.

02/07/14; RESPONSE RECEIVED.

02/11/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

02/19/14; RESPONSE RECEIVED.

02/19/14; REFERRED TO DEPARTMENT.

02/20/14; RESPONSE RECEIVED.

03/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140120 **[Building Code - Earthquake Performance Evaluation of Private School Structures]**
**Sponsors: Mayor; Breed, Campos, Chiu, Farrell, Mar, Tang, Wiener and Yee**
Ordinance amending the Building Code to require that existing private elementary and secondary schools obtain an evaluation by a licensed structural engineer for performance during a future earthquake, to assess a fee for Building Department review and related evaluation processing, to exempt buildings for which voluntary seismic strengthening is performed that meets or exceeds 2013 Building Code requirements from new San Francisco seismic strengthening requirements for 15 years, and to require that a building changing to a school occupancy classification comply with the evaluation requirements; making environmental findings, and findings under the California Health and Safety Code; and directing the Clerk of the Board of Supervisors to forward this Ordinance to the California Building Standards Commission in accordance with California Health and Safety Code, Section 17958.7.

02/11/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/14/2014.

02/20/14; RESPONSE RECEIVED.

02/28/14; REFERRED TO DEPARTMENT.

03/06/14; NOTICED.

03/07/14; RESPONSE RECEIVED.

03/17/14; RESPONSE RECEIVED.

03/18/14; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

140260 **[Administrative Code - Workforce Development – Establishing the Committee on City Workforce Alignment]**
**Sponsors: Chiu; Cohen**
Ordinance amending the Administrative Code to establish the Committee on City Workforce Alignment, to give the Committee responsibility for planning and coordinating the City's Workforce Development programs, and to make other changes to the procedures governing the planning and implementation of Workforce Development programs.

03/18/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 4/17/2014.

140261 **[Park, Police, Public Works Codes - Graffiti Prevention and Abatement]**
**Sponsors: Breed; Farrell, Wiener and Tang**
Ordinance amending the Park and Police Codes to ban convicted graffiti offenders from bringing graffiti and etching tools, etching cream, and slap tags into parks or on Municipal Transportation Agency vehicles; amending the Public Works Code to extend the administrative process and potential administrative remedies to graffiti offenses committed on public property; amending the Public Works Code to permit the City to pursue civil remedies, including injunctive relief, civil penalties, attorney's fees, and repayment of abatement costs, against graffiti offenders; and making uncodified findings.

03/18/14; ASSIGNED UNDER 30 DAY RULE to Government Audit and Oversight Committee, expires on 4/17/2014.

## Resolutions

**140262** **[Real Property Lease Renewal - WCPI Commercial, LLC - 1449 Webster Street - $9,142.07 Monthly]**
**Sponsor: Breed**
Resolution authorizing the exercise of an option to extend the lease of 3,900 sq. ft. at 1449 Webster Street with WCPI Commercial, LLC, for the Office of Economic and Workforce Development's Western Addition employment assistance programs for $9,142.07 monthly for a term of three years ending August 31, 2017.

03/18/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140263** **[Urging Congress to Pass the California Emergency Drought Relief Act]**
**Sponsors: Breed; Chiu**
Resolution urging the United States Congress to pass the California Emergency Drought Relief Act of 2014 in order to support critical water supply and conservation projects for the San Francisco Bay Area.

03/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140264** **[Supporting Assembly Bill 1553 (Yamada) - Prohibit Long-Term Care Insurance Providers from Charging Higher Premium Rates Based on Gender]**
**Sponsors: Chiu; Kim, Cohen and Mar**
Resolution supporting Assembly Bill 1553, authored by Assemblymember Mariko Yamada, to prohibit long-term care insurance providers from charging higher premium rates based on gender.

03/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

**140265** **[Resolution of Intent - Multifamily Housing Revenue Bonds - 200-6th Street]**
**Sponsor: Kim**
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds for 200-6th Street, (Assessor's Parcel No. 3731, Lot No. 1); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

03/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140266 **[Supporting Assembly Bill 1743 (Ting) - Removing the Number of Syringes a Pharmacist Can Sell to an Adult Without a Prescription]**
**Sponsor: Mar**
Resolution urging the California State Legislature to pass Assembly Bill 1743, authored by Assemblymember Phil Ting, to remove the number of syringes a pharmacist can sell to an adult without a prescription and remove the sunset date in current law.

03/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

140267 **[Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 131064) That Would Modify the Definition of a "Bona Fide Eating Place"]**
**Sponsor: Wiener**
Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 131064) amending the Planning Code, to expand the definition of "bona fide eating place" to include a definition based on food sales per occupant; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/18/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Motion

140268 **[Posting Legislation in Machine-Readable Format]**
**Sponsor: Farrell**
Motion requiring the Clerk of the Board of Supervisors to make Ordinances, Resolutions, and written Motions available on the Board's website in machine-readable format.

03/18/14; RECEIVED AND ASSIGNED to Rules Committee.

## Requests for Hearing

140269 **[Hearing - Impact of the Mid-Market Tax Break]**
**Sponsor: Campos**
Hearing on the impact that the legislation creating the Mid-Market tax break, commonly known as the "Twitter Tax Break," has had on San Francisco; including a discussion on the amount of the tax break, its impact on commercial rents, including rents for non-profit tenants, as well as its impact on residential housing prices and tenant displacement in San Francisco, and a discussion on the impacts of the City's decision not to collect Stock Based Compensation.

03/18/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

140270 **[Hearing - Implementation and Compliance of Language Access Ordinance]**
**Sponsor: Chiu**
Hearing in conjunction with the release of the 2014 Language Access Ordinance Annual Compliance Report to receive a status update on the implementation and compliance with the Ordinance.

03/18/14; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

**140271** **[Hearing - Update on the Status of the Mission Bay Transit Loop Project]**
**Sponsors: Cohen; Chiu**
Hearing on the status of the Mission Bay Transit Loop Project.
03/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140272** **[Hearing - Summer Jobs Plus Initiative and Recreation and Park Department Summer Programming Updates for Youth and Children]**
**Sponsor: Kim**
Hearing to receive informational updates from the Mayor's Office of Employment and Workforce Development, Department of Children, Youth, and Their Families, Recreation and Parks Department (RPD), and the San Francisco Unified School District (SFUSD) on the status of the Summer Jobs Plus Initiative, as well as available opportunities for summer programming at San Francisco RPD sites and through SFUSD's Summer School Programming.
03/18/14; RECEIVED AND ASSIGNED to City and School District Select Committee.

**140273** **[Hearing - Elevators and Disability Access in Single-Room Occupancy Hotels]**
**Sponsor: Kim**
Hearing and presentations from the Department of Building Inspection, Department of Public Health, and the Mayor's Office on Disability, on the issue of elevators in Single-Room Occupancy Hotels located within the City and County of San Francisco, including but not limited to disability access when elevators are out-of-service, cost of repairs and replacement, and best practices for mitigation by property owners and building management.
03/18/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140274** **[Hearing - Expanding Technology Sector Opportunities for Girls and Low-Income Youth]**
**Sponsor: Mar**
Hearing on expanding technology sector opportunities for girls and low-income youth.
03/18/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

## Introduced at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

## PROPOSED ORDINANCE

**140226 [Various Codes - Nonsubstantive Clean-Up Ordinance]**
Ordinance amending the Administrative, Business and Tax Regulations, Campaign and Governmental Conduct, Environment, Health, Municipal Elections, Park, Police, and Subdivision Codes, to make nonsubstantive changes. (City Attorney's Office)

03/10/14; RECEIVED FROM DEPARTMENT.

03/18/14; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 4/17/2014.

## PROPOSED RESOLUTIONS

**140222 [Finding of Fiscal Feasibility - Plot 700 Development Project - San Francisco International Airport]**
Resolution finding the proposed Plot 700 Development Project at San Francisco International Airport fiscally feasible pursuant to Administrative Code, Chapter 29. (Airport Commission)
(Fiscal Impact)

03/05/14; RECEIVED FROM DEPARTMENT.

03/18/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140224 [Designation - Treasure Island Mobility Management Agency]**
Resolution designating the San Francisco County Transportation Authority as the Treasure Island Mobility Management Agency for certain purposes pursuant to the Treasure Island Transportation Management Act. (Treasure Island Development Authority)

03/07/14; RECEIVED FROM DEPARTMENT.

03/18/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140225 [Contract - Titan Outdoor, LLC - Advertising - Guarantee of Over $28,500,000]**
**Sponsor: Breed**
Resolution authorizing the San Francisco Municipal Transportation Agency (SFMTA) to execute a transit advertising contract with Titan Outdoor, LLC, for a term commencing July 1, 2014, and ending June 30, 2019, which offers a minimum guarantee to the SFMTA of $28,500,000 over the term of the contract. (Municipal Transportation Agency)
(Fiscal Impact)

03/10/14; RECEIVED FROM DEPARTMENT.

03/18/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## In Memoriams

*Joseph Flanagan - Full Board*
*Ron Smith - Supervisors Cohen, Farrell, Tang, Wiener, and Campos*
*Shigemi "Shig" Komiyama - Supervisor Mar*
*Dennis Garden - Supervisors Yee and Campos*
*Laura Takeuchi – Supervisor Breed*

## ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 5:34 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 22, 2014.*

Angela Calvillo, Clerk of the Board

# BOARD OF SUPERVISORS
# CITY AND COUNTY OF SAN FRANCISCO

## MEETING MINUTES

GOVERNMENT DOCUMENTS DEPT
APR - 8 2015
SAN FRANCISCO PUBLIC LIBRARY

**Tuesday, March 25, 2014 - 2:00 PM**

**Legislative Chamber, Room 250**
**City Hall, 1 Dr. Carlton B. Goodlett Place**
**San Francisco, CA 94102-4689**

**Regular Meeting**

DAVID CHIU, PRESIDENT
JOHN AVALOS, LONDON BREED, DAVID CAMPOS, MALIA COHEN,
MARK FARRELL, JANE KIM, ERIC MAR, KATY TANG, SCOTT WIENER, NORMAN YEE

*Angela Calvillo, Clerk of the Board*

## BOARD COMMITTEES

| | |
|---|---|
| **Budget and Finance Committee**<br>Supervisors Farrell, Mar, Avalos, Breed, Wiener | Wednesday<br>1:00 PM |
| **Budget and Finance Sub-Committee**<br>Supervisors Farrell, Mar, Avalos | Wednesday<br>10:00 AM |
| **City and School District Select Committee**<br>Supervisors Kim, Avalos, Farrell, Commissioners Mendoza-McDonnell, Fewer, Wynns | 4th Thursday<br>3:30 PM |
| **Government Audit and Oversight Committee**<br>Supervisors Breed, Tang, Chiu | 2nd and 4th Thursday<br>10:30 AM |
| **Land Use and Economic Development Committee**<br>Supervisors Wiener, Kim, Cohen | Monday<br>1:30 PM |
| **Neighborhood Services and Safety Committee**<br>Supervisors Campos, Mar, Yee | 1st and 3rd Thursday<br>10:00 AM |
| **Rules Committee**<br>Supervisors Yee, Tang, Campos | 1st and 3rd Thursday<br>2:00 PM |

**Members Present:** John Avalos, London Breed, David Campos, David Chiu, Malia Cohen, Mark Farrell, Jane Kim, Eric Mar, Katy Tang, Scott Wiener, and Norman Yee

## ROLL CALL AND PLEDGE OF ALLEGIANCE

*The meeting was called to order at 2:07 p.m. On the call of the roll, Supervisors Kim and Mar were not present. There was a quorum.*

## AGENDA CHANGES

*There were none.*

## COMMUNICATIONS

*There were none.*

## CONSENT AGENDA

*Supervisor Kim was noted present at 2:09 p.m.*

### Recommendation of the Budget and Finance Sub-Committee

140189 **[Accept and Expend Grant - Rockefeller Foundation - Chief Resilience Officer - Amendment to the Annual Salary Ordinance - $440,000]**
**Sponsor: Mayor**
Ordinance authorizing the Office of the City Administrator to accept and expend a grant in the amount of $440,000 from the Rockefeller Foundation to hire a Chief Resilience Officer for San Francisco, and amending Ordinance No. 160-13 (Annual Salary Ordinance, FYs 2013-2014 and 2014-2015) to reflect the addition of one grant-funded position (.25 FTE) in Class 0933, Manager V, at the Office of the City Administrator, for the period of April 1, 2014, through March 31, 2016.

**Ordinance No.** 034-14

**FINALLY PASSED**

## Recommendations of the Land Use and Economic Development Committee

**131121** **[Planning Code - Amending the Third Street Alcohol Restricted Use District]**
**Sponsor: Cohen**
Ordinance amending the Planning Code, to amend the Third Street Alcohol Restricted Use District, to allow Alcoholic Beverage Control (ABC) Type 2, "Winegrower" licenses; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Ordinance No.** 035-14

**FINALLY PASSED**

**140242** **[Temporary License Agreement - San Francisco General Hospital - Safety Improvements]**
**Sponsor: Wiener**
Resolution approving and authorizing a temporary, non-exclusive, non-possessory License Agreement for certain safety enhancement improvements over portions of San Francisco General Hospital Campus for a term of up to 10 years, to commence upon Board approval.

**Resolution No.** 099-14

**ADOPTED**

## Recommendations of the Rules Committee

**131208** **[Health Code - Restrictions on Sale and Use of Electronic Cigarettes]**
**Sponsors: Mar; Avalos, Chiu, Yee and Cohen**
Ordinance amending the Health Code to prohibit the use of electronic cigarettes where smoking is otherwise prohibited; require a tobacco permit for the sale of electronic cigarettes; prohibit the sale of electronic cigarettes where the sale of tobacco products is otherwise prohibited; and making environmental findings.

**Ordinance No.** 030-14

**FINALLY PASSED**

**140081** **[Administrative Code - Dissolving the Community Oversight Committee Regarding Enforcement of Marijuana Offenses]**
Ordinance amending the Administrative Code, by deleting Section 12X.6, to dissolve the Community Oversight Committee Regarding Enforcement of Marijuana Offenses. (Clerk of the Board)

**Ordinance No.** 036-14

**FINALLY PASSED**

140114 **[Settlement of Lawsuit - State Farm Insurance Company - $115,000]**
Ordinance authorizing settlement of the lawsuit filed by State Farm Insurance Company against the City and County of San Francisco for $115,000; the lawsuit was filed on July 1, 2013, in Superior Court of California, County of San Francisco, Case No. CGC-13-532539; entitled State Farm General Insurance Company, v. City and County of San Francisco, et al. (City Attorney's Office)

**Ordinance No.** 037-14

**FINALLY PASSED**

140118 **[Settlement of Lawsuit - Elevated Investors II, LLC - City to Receive $20,000]**
Ordinance authorizing settlement of the writ action filed by the City and County of San Francisco against Assessment Appeals Board No. 1, and Elevated Investors II, LLC, as the real party in interest, in exchange for a payment of $20,000 from Elevated Investors II LLC; the lawsuit was filed on June 12, 2009, in San Francisco Superior Court, Case No. CPF-11-511651; entitled City and County of San Francisco, et al., v. Assessment Appeals Board No. 1, (Elevated Investors II, LLC). (City Attorney's Office)

**Ordinance No.** 038-14

**FINALLY PASSED**

140137 **[Settlement of Lawsuit - Gabe Terry - $125,000]**
Ordinance authorizing settlement of the lawsuit filed by Gabe Terry and Elena Wong Terry against the City and County of San Francisco for $125,000; the lawsuit was filed on July 6, 2012, in San Francisco Superior Court, Case No. CGC-12-522132; entitled Gabe Terry, et al. v. City and County of San Francisco, et al. (City Attorney's Office)

**Ordinance No.** 039-14

**FINALLY PASSED**

*The foregoing items were acted upon by the following vote:*
*Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee*
*Absent: 1 - Mar*

*Supervisor Mar, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**The foregoing items were acted upon by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

# REGULAR AGENDA

## UNFINISHED BUSINESS

### Recommendation of the Budget and Finance Sub-Committee

**140008** **[Appropriating $4,515,000 from the General Fund Reserve for Nonprofit Rent Stabilization Program - Mayor's Office of Housing and the Arts Commission - FY2013-2014]**

**Sponsors: Chiu; Kim, Avalos, Mar and Campos**

Ordinance appropriating $4,515,000 from the general fund reserve to the Mayor's Office of Housing in the amount of $2,515,000 and to the Arts Commission in the amount of $2,000,000 for FY2013-2014, establishing the Nonprofit Rent Stabilization Program, and placing these funds on Board of Supervisors reserve pending a report from the Nonprofit Displacement Work Group to the Board of Supervisors.
(Fiscal Impact)

**Ordinance No.** 033-14

**FINALLY PASSED by the following vote:**

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

### Recommendation of the Land Use and Economic Development Committee

**140031** **[Street Vacation Order - Hunters View Phase 2 - West Point Road]**

Ordinance ordering the vacation of a portion of West Point Road and various public service easements for the Hunters View Phase 2 development; quitclaiming the City's interest in the vacation areas to the San Francisco Housing Authority; reserving easement rights for the benefit of the City for its utilities; accepting a Department of Public Works Order concerning the street vacation; authorizing official acts in connection with this Ordinance; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Public Works Department)

**Ordinance No.** 040-14

**FINALLY PASSED by the following vote:**

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Tang, Wiener, Yee
Absent: 1 - Mar

## NEW BUSINESS

*Supervisor Mar was noted present at 2:19 p.m.*

### Recommendations of the Budget and Finance Committee

140121 **[Appropriation - General Fund Reserve - Homeless Outreach Services - $1,387,500 - FY2013-2014]**
**Sponsors: Farrell; Breed and Campos**
Ordinance appropriating $1,387,500 of General Fund Reserves to the Department of Public Health to provide homeless outreach services in FY2013-2014 and placing the $1,387,500 of General Fund monies on Budget and Finance Committee Reserve.
(Fiscal Impact)
(Supervisor Avalos dissented in Committee.)

**Supervisor Cohen, seconded by Supervisor Farrell, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee
Ordinance appropriating $1,387,500 of General Fund Reserves to the Department of Public Health to provide homeless outreach services in FY2013-2014 and placing the $1,387,500 of General Fund monies on Board of Supervisors Reserve.
(Fiscal Impact)

*Supervisor Chiu requested to be added as a co-sponsor.*

**PASSED ON FIRST READING AS AMENDED by the following vote:**

Ayes: 10 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Wiener, Yee
Noes: 1 - Tang

140190 **[Appropriation - Library Preservation Fund - Public Library Teen Center Project - $3,243,752 - FY2013-2014]**
**Sponsors: Chiu; Kim and Mar**
Ordinance appropriating $3,243,752 of Library Preservation Fund balance to the Public Library for the Teen Center Project in FY2013-2014.

*Supervisor Mar requested to be added as a co-sponsor.*

**PASSED ON FIRST READING by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Budget and Finance Sub-Committee

**140140** **[Emergency Contract - San Francisco General Hospital Building 80/90 Elevator Modernization - Not to Exceed $2,500,000]**
Resolution approving an emergency public work contract under Administrative Code, Section 6.60, to replace Elevator 27 and modernize and repair Elevators 26 and 28 in San Francisco General Hospital Buildings 80 and 90 with a contract amount not to exceed $2,500,000. (Public Works Department)
(Fiscal Impact)

**Resolution No.** 100-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendations of the Government Audit and Oversight Committee

**130601** **[Follow-Up Board Response - Civil Grand Jury Report - Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation]**
Motion responding to the 2012-2013 Civil Grand Jury on the status of the Board of Supervisors' responses to Recommendation Nos. 4.1 and 4.2 contained in the 2012-2013 Civil Grand Jury Report, entitled "Are the Wheels Moving Forward? A Follow-Up to the 2009-2010 Civil Grand Jury Report Sharing the Roadway: From Confrontation to Conversation." (Government Audit and Oversight Committee)

**Motion No.** M14-035

**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

**130603** **[Follow-Up Board Response - Civil Grand Jury Report - Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum and Accountability]**
Motion responding to the 2012-2013 Civil Grand Jury on the status of the Board of Supervisors' responses to Recommendation Nos. 3 and 4 contained in the 2012-2013 Civil Grand Jury Report, entitled "Optimizing the Use of Publicly-Owned Real Estate: Achieving Transparency, Momentum and Accountability." (Government Audit and Oversight Committee)

**Motion No.** M14-036

**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130606 **[Follow-Up Board Response - Civil Grand Jury Report - Building a Better Future at the Department of Building Inspection]**

Motion responding to the 2012-2013 Civil Grand Jury on the status of the Board of Supervisors' responses to Recommendation Nos. 1.1, 1.2, and 5.1 contained in the 2012-2013 Civil Grand Jury Report, entitled "Building a Better Future at the Department of Building Inspection." (Government Audit and Oversight Committee)

**Motion No.** M14-037

**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

130607 **[Follow-Up Board Response - Civil Grand Jury Report - Log Cabin Ranch: Planning for The Future, A Continuity Report]**

Motion responding to the 2012-2013 Civil Grand Jury on the status of the Board of Supervisors' responses to Recommendation Nos. 3 and 4.2 contained in the 2012-2013 Civil Grand Jury Report, entitled "Log Cabin Ranch: Planning for The Future, A Continuity Report." (Government Audit and Oversight Committee)

**Motion No.** M14-038

**APPROVED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## Recommendation of the Neighborhood Services and Safety Committee

140123 **[Urging State Community College Chancellor Brice Harris to Restore City College of San Francisco's Duly Elected Board of Trustees]**

**Sponsors: Campos; Mar, Avalos, Wiener, Yee, Kim, Chiu and Cohen**

Resolution urging State Community College Chancellor Brice Harris to restore the voice of San Francisco voters and bring democratic decision-making, transparency, and public accountability back to City College of San Francisco by restoring the duly elected Board of Trustees.

*ADOPTED by the following vote:*
*Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

*Supervisor Campos, seconded by Supervisor Farrell, moved to rescind the previous vote. The motion carried by the following vote:*
*Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee*

**Resolution No.** 103-14

**ADOPTED by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

## SPECIAL ORDER 2:30 P.M. - Recognition of Commendations

### Privilege of the Floor

**Supervisor Campos, seconded by Supervisor Avalos, moved to suspend Rule 5.36 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:**

Ayes: 11 - Avalos, Breed, Campos, Chiu, Cohen, Farrell, Kim, Mar, Tang, Wiener, Yee

*Supervisor Campos introduced, welcomed, and presented a Certificate of Honor to Norman Saucedo in recognition of his accomplishments and continued community support.*

*Supervisor Farrell was noted absent at 4:09 p.m., and noted present at 5:41 p.m.*

## SPECIAL ORDER 3:00 P.M.

**140174** **[Public Hearing - Appeal of Negative Declaration - Sharp Park Pumphouse Safety and Infrastructure Improvement Project]**

Hearing of persons interested in or objecting to the Negative Declaration and Project Approval of January 23, 2014, for the Recreation and Park Department's Proposed Sharp Park Pumphouse Safety and Infrastructure Improvement Project (Appellant: Wild Equity Institute) (Filed February 21, 2014). (Clerk of the Board)

*The President inquired as to whether any member of the public wished to address the Board. Brent Plater (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. W. Leo Leon; Stan Zeavin; Edwin; Mary Keitelman; Margaret Goodale; Noel Blincoe; Kerry Kriger (Save the Frogs); Leah Stein; Frances Ackerman; Michael Starkey; Emily Moskal; Anthony Serna; Rose Braz; Kassie Siegel; Male Speaker; Female Speaker; Male Speaker; Leah Thompson; Ron Sundergill; Kari Kiser; Barry Hermanson; Michael Katz; Jenny Osgood; Larry Pettit; Iyn Stein; Noreen Weeden; Laura Horton; Male Speaker; Tom Bennett; Barry Bryan; Toni Mendocino; Dyer Crouch; Anna Sylvester; Female Speaker; Walter Paulson; Larry Edmund; Douglas Yep; spoke in support of the appeal. Rick Cooper and Kei Zushi (Planning Department), Sarah Jones, Environmental Review Officer, Planning Department, Lisa Wayne (Recreation and Park Department), and Marlena Byrne, Deputy City Attorney, provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Lisa Wayne (Recreation and Park Department), speaking as the Project Sponsor, Kei Zushi (Planning Department), Sarah Jones, Environmental Review Officer, Planning Department, Dawn Kamalanathan, Open Space Director, Recreation and Park Department, and Marlena Byrne, Deputy City Attorney, provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Jack Scott; Male Speaker; Amirah Tullis; Queen Tulloch; Tom Weatherd; Bo Links; Richard Lim; Dan De Vries; Len Stone; Tony Willig; Douglas Morgan; Jay Blasi; Teddy Collins; Will Lee; Lisa Villasenor; Sally Stephens; Clarence Bryant; Sherri Lewis Wood; Robert Fontes; Richard Harris; Chris Cobner; spoke in support of the project and in opposition to the appeal. Brent Plater (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.*

**HEARD AND FILED**

140175 **[Affirming the Approval of a Final Mitigated Negative Declaration For the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project]**
Motion affirming the approval of a final mitigated negative declaration under the California Environmental Quality Act by the Planning Commission for the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project. (Clerk of the Board)

Motion No. M14-039

**Supervisor Wiener, seconded by Supervisor Chiu, moved that this Motion be APPROVED. The motion carried by the following vote:**

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Kim, Mar

140176 **[Reversing the Approval of a Final Mitigated Negative Declaration For the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project]**
Motion reversing the approval of a final mitigated negative declaration under the California Environmental Quality Act by the Planning Commission for the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project. (Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Chiu, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Kim, Mar

140177 **[Preparation of Findings to Reverse the Approval of a Final Mitigated Negative Declaration For the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project]**
Motion directing the Clerk of the Board to prepare findings reversing the Planning Commission's approval of a final mitigated negative declaration under the California Environmental Quality Act for the Sharp Park Safety, Infrastructure Improvement, and Habitat Enhancement Project. (Clerk of the Board)

**Supervisor Wiener, seconded by Supervisor Chiu, moved that this Motion be TABLED. The motion carried by the following vote:**

Ayes: 7 - Breed, Chiu, Cohen, Farrell, Tang, Wiener, Yee
Noes: 4 - Avalos, Campos, Kim, Mar

## ROLL CALL FOR INTRODUCTIONS

*See Legislation Introduced below.*

*Supervisors Campos and Wiener were noted absent at 7:01 p.m. for the remainder of the meeting. Supervisor Kim was noted absent at 7:08 p.m. for the remainder of the meeting.*

## PUBLIC COMMENT

*Peter Warfield (Library User's Group); expressed concerns relating to the SF Public Library and librarian's secrecy and ongoing bad affects.*
*Mike Trout; expressed various religous concerns.*
*Male Speaker; expressed various concerns relating to housing.*
*Douglas Yep; expressed concerns relating to the alleged radiation at Treasure Island.*
*Larry Edmund; expressed various concerns.*
*Tessie Ester; expressed concerns relating to youth and housing in Hunterview.*
*Edmund James Brown; expressed concerns relating to single room occupancies.*
*Larry Edmund; expressed various concerns.*

## FOR ADOPTION WITHOUT COMMITTEE REFERENCE

**140263** **[Urging Congress to Pass the California Emergency Drought Relief Act]**
**Sponsors: Breed; Chiu**
Resolution urging the United States Congress to pass the California Emergency Drought Relief Act of 2014 in order to support critical water supply and conservation projects for the San Francisco Bay Area.

*Supervisor Chiu requested to be added as a co-sponsor.*

**Resolution No.** 104-14

**ADOPTED**

**140264** **[Supporting Assembly Bill 1553 (Yamada) - Prohibit Long-Term Care Insurance Providers from Charging Higher Premium Rates Based on Gender]**
**Sponsors: Chiu; Kim, Cohen and Mar**
Resolution supporting Assembly Bill 1553, authored by Assemblymember Mariko Yamada, to prohibit long-term care insurance providers from charging higher premium rates based on gender.

*Supervisor Mar requested to be added as a co-sponsor.*

**Resolution No.** 105-14

**ADOPTED**

140265 **[Resolution of Intent - Multifamily Housing Revenue Bonds - 200-6th Street]**
**Sponsor: Kim**
Resolution declaring the intent of the City and County of San Francisco (the "City") to reimburse certain expenditures from proceeds of future bonded indebtedness; authorizing the Director of the Mayor's Office of Housing and Community Development (the "Director") to submit an application and related documents to the California Debt Limit Allocation Committee (CDLAC) to permit the issuance of residential mortgage revenue bonds for 200-6th Street, (Assessor's Parcel No. 3731, Lot No. 1); authorizing and directing the Director to direct the Controller's Office to hold in trust an amount not to exceed $100,000 in accordance with CDLAC procedures; authorizing the Director to certify to CDLAC that the City has on deposit the required amount; authorizing the Director to pay an amount equal to such deposit to the State of California if the City fails to issue the residential mortgage revenue bonds; approving, for purposes of the Internal Revenue Code of 1986, as amended, the issuance and sale of residential mortgage revenue bonds by the City; authorizing and directing the execution of any documents necessary to implement this Resolution; and ratifying and approving any action heretofore taken in connection with the Project (as defined herein) and the Application (as defined herein).

**Resolution No.** 102-14

**ADOPTED**

140266 **[Supporting Assembly Bill 1743 (Ting) - Removing the Number of Syringes a Pharmacist Can Sell to an Adult Without a Prescription]**
**Sponsor: Mar**
Resolution urging the California State Legislature to pass Assembly Bill 1743, authored by Assemblymember Phil Ting, to remove the number of syringes a pharmacist can sell to an adult without a prescription and remove the sunset date in current law.

**Resolution No.** 106-14

**ADOPTED**

140267 **[Approval of a 90-Day Extension for Planning Commission Review of an Ordinance (File No. 131064) That Would Modify the Definition of a "Bona Fide Eating Place"]**
**Sponsor: Wiener**
Resolution extending by 90-days the prescribed time within which the Planning Commission may render its decision on a Ordinance (File No. 131064) amending the Planning Code, to expand the definition of "bona fide eating place" to include a definition based on food sales per occupant; and making environmental findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

**Resolution No.** 101-14

**ADOPTED**

140253 **[Final Map 7783 - 2121-3rd Street]**
Motion approving Final Map 7783, a 105 residential unit Condominium Project, located at 2121-3rd Street, being a subdivision of Assessor's Block No. 4045, Lot No. 041, and adopting findings pursuant to the General Plan, and City Planning Code, Section 101.1. (Public Works Department)

**Motion No.** M14-040

**APPROVED**

**The foregoing items were acted upon by the following vote:**

Ayes: 8 - Avalos, Breed, Chiu, Cohen, Farrell, Mar, Tang, Yee
Absent: 3 - Campos, Kim, Wiener

## IMPERATIVE AGENDA

*There were no items.*

## LEGISLATION INTRODUCED AT ROLL CALL

### Introduced by a Supervisor or the Mayor

*Pursuant to Charter, Section 2.105, an Ordinance or Resolution may be introduced before the Board of Supervisors by a Member of the Board, a Committee of the Board, or the Mayor and shall be referred to and reported upon by an appropriate Committee of the Board.*

### Ordinances

**140283** **[Planning Code - Rezoning McCoppin Plaza to Public Use/Open Space Zoning]**
**Sponsor: Kim**
Ordinance amending the Planning Code to rezone McCoppin Street from Valencia Street to its terminus on Market Street from NC3-T/85-X, and 40-X, to P (Public)/Open Space as part of the establishment of McCoppin Hub Plaza, making findings under the California Environmental Quality Act, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

03/25/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2014.

**140284** **[Building Code - Vacant or Abandoned Commercial Storefronts and Registration Fee]**
**Sponsor: Tang**
Ordinance amending the Building Code to establish a procedure for maintaining and registering vacant or abandoned commercial storefronts, including imposition of a registration fee.

03/25/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2014.

## Resolutions

**140285** **[Accept and Expend Grant - 2013 Port Security Grant Program - All-Hazards Training Series and Exercise, and High-Security Fencing - $698,625]**
**Sponsor: Mayor**
Resolution authorizing the Port of San Francisco to accept and expend a grant in the amount of $698,625 from the Department of Homeland Security's 2013 Port Security Grant Program, including $186,750 for an All-Hazards Training Series and Exercise, and $511,875 for High-Security Fencing, for the period of June 1, 2014, through May 31, 2015.
(Fiscal Impact)

03/25/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140286** **[Accept and Expend Grant - Department of Adult Probation - Probation Specialized Supervision Program - $100,000]**
**Sponsor: Mayor**
Resolution retroactively authorizing the Department of Adult Probation to accept and expend a grant in the amount of $100,000 from the California Emergency Management Agency for Probation Specialized Supervision Program federally funded through the Violence Against Women Act for the period of October 1, 2013, through September 30, 2014.

03/25/14; RECEIVED AND ASSIGNED to Budget and Finance Committee.

**140287** **[Adding the Name "Rescue Row" to Alabama Street Between 15th and 16th Streets]**
**Sponsors: Campos; Wiener, Kim and Cohen**
Resolution adding the name "Rescue Row" on Alabama Street between 15th and 16th Streets in recognition of the animal services organizations on the block, and to help these agencies in their co-marketing and individual efforts to help adopt out more animals in need.

03/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140288** **[Lease of Real Property - North Beach Retail Associates, LLC - 2449 and 2450 Taylor Street - Initial Annual Rate $7,920]**
**Sponsor: Chiu**
Resolution retroactively approving a lease between North Beach Retail Associates, LLC, as landlord, and the City and County of San Francisco, acting by and through the San Francisco Municipal Transportation Agency (SFMTA), as tenant, for certain premises at 2449 and 2450 Taylor Street, for a ten-year term to commence on January 1, 2014, through December 31, 2023, with a ten-year option at an initial annual lease rate of $7,920 with annual increases, for use as a SFMTA ticket sales room, restroom, and break room for Muni operators and other authorized Muni and City personnel.

03/25/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140289** **[California Environmental Quality Act Findings - San Francisco Groundwater Supply Project]**
**Sponsor: Mar**
Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the San Francisco Groundwater Supply Project, and directing the Clerk of the Board of Supervisors to notify the Controller of this action.

03/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140290** **[Approval of Groundwater Well in Golden Gate Park]**
**Sponsor: Mar**
Resolution approving the construction of a building housing the Central Pump Station Well and related appurtenances in Golden Gate Park under Charter, Section 4.113, as part of the San Francisco Groundwater Supply Project.

03/25/14; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**140292** **[Multifamily Housing Revenue Bonds - Transbay/Block 6 Project - Not to Exceed $15,000,000]**
**Sponsor: Kim**
Resolution authorizing the issuance and delivery of multifamily housing revenue bonds in an aggregate principal amount not to exceed $15,000,000 for the purpose of providing financing for the acquisition and construction of a 70-unit multifamily rental housing project known as Transbay/Block 6 Project; approving the form of and authorizing the execution of a trust indenture providing the terms and conditions of the bonds; approving the form of and authorizing the execution of a regulatory agreement and declaration of restrictive covenants; approving the form of and authorizing the execution of a loan agreement; authorizing the collection of certain fees; ratifying and approving any action heretofore taken in connection with the bonds and the project; granting general authority to City officials to take actions necessary to implement this Resolution; and related matters.

03/25/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**140293** **[Air Rights Lease - Mercy Housing California 62, LP - 280 Beale Street - Transbay Block 6 Affordable Housing]**
**Sponsor: Kim**
Resolution approving and authorizing the Successor Agency to the Redevelopment Agency of the City and County of San Francisco to execute an Air Rights Lease of a parcel at 280 Beale Street, with Mercy Housing California 62, LP, a California limited partnership, for a term of 75 years commencing on Board approval, for the purpose of developing housing for very low-income households.

03/25/14; RECEIVED AND ASSIGNED to Board of Supervisors.

**140295** **[Supporting Assembly Bill 2591 (Weber) - The Basic Material Needs for Homeless Children Act]**
**Sponsor: Farrell**
Resolution supporting Assembly Bill 2591, authored by Assemblymember Shirley Weber, the Basic Material Needs for Homeless Children Act.

03/25/14; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

## Requests for Hearing

**140296** **[Hearing - Certification of Tagalog Pursuant to the Language Access Ordinance]**
**Sponsors: Avalos; Campos, Kim, Mar, Chiu, Yee and Cohen**
Hearing for information from the Office of Civic Engagement and Immigrant Affairs and Immigrant Rights Commission regarding certification of Tagalog pursuant to the Language Access Ordinance.

03/25/14; RECEIVED AND ASSIGNED to Rules Committee.

**140297** **[Hearing - Legal Representation for Tenants Facing Eviction]**
**Sponsor: Campos**
Hearing on the availability of legal assistance and representation for tenants facing eviction in San Francisco, specifically how many housing attorneys are supported by City funding and how many attorneys would be needed so that every tenant facing eviction in San Francisco will have access to legal representation.

03/25/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

**140298** **[Hearing - Unmet Needs of Children and Youth in San Francisco with Currently or Previously Incarcerated Parent(s)]**
**Sponsor: Cohen**
Hearing on the unmet needs of children and youth in San Francisco with currently or previously incarcerated parent(s) and review the policies in place currently to ensure the unique needs of these children are being met.

03/25/14; RECEIVED AND ASSIGNED to Neighborhood Services and Safety Committee.

**140299** **[Hearing - Budget and Legislative Analyst's Report on the City's Grants for the Arts Program]**
**Sponsor: Mar**
Hearing to examine whether the Grants of the Arts Program is adequately meeting our City's goals of providing equitable access to resources to cultural and arts organizations that serve communities of color.

03/25/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.



6743.4

## Introduced by the President at the Request of a Department

*Pursuant to Rules of Order of the Board of Supervisors, Section 2.7.1, Department Heads may submit proposed legislation to the Clerk of the Board, in which case titles of the legislation will be printed at the rear of the next available agenda of the Board.*

# PROPOSED RESOLUTION

**140249** **[Real Property Lease Renewal - Ruth Mellinger - 70 Oak Grove Street - $37,208.33 Monthly]**

Resolution authorizing the exercise of an option to extend the lease of 10,000 sq. ft. at 70 Oak Grove Street with Ruth Mellinger, an unmarried woman, for five years for use by the Sheriff's Department at $37,208.33 monthly, for the period of May 31, 2014, through May 30, 2019. (Real Estate Department)
(Fiscal Impact)

03/17/14; RECEIVED FROM DEPARTMENT.

03/25/14; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

## In Memoriams

*Gerardo "Lalo" Castoreña – Supervisor Avalos*
*Oi Yeung - Supervisor Cohen*
*William Ferrero - Supervisor Farrell*
*William Callanan - Supervisor Farrell*

# ADJOURNMENT

*There being no further business, the Board adjourned at the hour of 7:17 p.m.*

*N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.*

*Approved by the Board of Supervisors on April 29, 2014.*

Angela Calvillo, Clerk of the Board

Houchen
Bindery Ltd